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THE
DEVON CARYS

VOLUME I



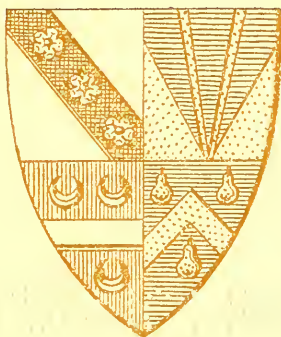
SIR GEORGE CARY, OF COCKINGTON

1541-1617

LORD DEPUTY OF IRELAND

The
DEVON CARYS

IN TWO VOLUMES.



VOLUME I

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TO
CAPTAIN LIONEL CARY, R.N.
OF TOR ABBEY

IN APPRECIATION OF TWO CENTURIES
OF COURTESY BY HIS HOUSE TO
THEIR VIRGINIA KINSMEN



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PREFACE

A WRITER in the *Herald and Genealogist* said a generation ago: "The history of the Cary family remains yet to be written, but there can be little doubt that in able hands it would prove a valuable as well as an interesting contribution to the literature of our country."

The merit of this observation is perhaps not obvious. The Carys have not been one of the great English governing families and have produced no really great man. They had, indeed, opportunity for conspicuous public service under Elizabeth and the first two Stuarts, and then showed parts, but they never developed that combination of strenuousness with intellect (what Machiavelli called *virtù*) which has always been the characteristic of the successful governing Norman. The fact is that although we record the Carys as Normans, their outstanding quality is Celtic, like that of the land where they first appear. As a family they are remarkable for iterated loyalty to lost causes: they devoted themselves to the fatal fortunes of Richard II, Henry VI, Charles I, and the Stuart Pretenders, and, transplanted to Vir-



ginia, to that ideal of a self-governing homogeneous commonwealth which was to fall before triumphant Democracy. But through it all they have been landlords in Devon from the Angevin kings to George V, while their cadets have spread far afield at home and abroad, have run the social gamut from gild merchant to courtier peer, and have unremittingly continued to reproduce inherited characteristics. The distinction of the Devon Carys is, then, persistence of type.

It is hoped that an attempt to state such a claim, and incidentally to renew acquaintance with many interesting people, places, and events, may be justified without incurring Clarendon's reproach of the Earl of Arundel, that he "thought no other parte of history considerable but what related to his owne family."

In the lack of the human interest and illustrative historical value of such a collection of private letters and papers as several English families have preserved, the present endeavor has been to give color and vitality to what is believed to be an unusual collection of wills and other first-hand genealogical evidences.

F. H.

*Belvoir House,
Fauquier County, Virginia,
December, 1920.*

PART ONE



CARY OF DEVON

"The illustrious family of the Carys, whose ancestors may be derived from Adam (I mean) Cary, of Castle Cary and has taken deep root and multiplied in this soil and sprung to a fair height in many worshipful branches: and by transmigration planted itself in other shires, where they like the country and the country them, so well that it bears honorable fruit."—THOMAS WESTCOTE, *A View of Devonshire in 1630*, p. 427.

"And first, there is my lady Countess of Bath, whom Sir Richard Grenvil is escorting, cap in hand (for her good Earl Bouchier is in London with the queen); and there are Bassets from beautiful Umberleigh, and Carys from more beautiful Clovelly, and Fortescues of Wear, and Fortescues of Buckland, and Fortescues from all quarters, and Coles from Slade, and Stukelys from Aftton, and St. Legers from Annery, and Coffins from Portledge, and even Coplestones from Eggesford, thirty miles away: and last, but not least (for almost all stop to give them place), Sir John Chichester of Ralegh, followed in single file, after the good old patriarchal fashion, by his eight daughters, and three of his five famous sons (one, to avenge his murdered brother, is fighting valiantly in Ireland, hereafter to rule there wisely also, as Lord Deputy and Baron of Belfast); and he meets at the gate his cousin of Arlington, and behind him a train of four daughters and nineteen sons, the last of whom has not yet passed the Town-hall, while the first is at the Lychgate, who, laughing, make way for the elder though shorter branch of that most fruitful tree; and so on into the church."—A gathering of the North Devon gentry in the time of Elizabeth, in *Westward Ho!*, chap. ii.



CHAPTER ONE

THE BACKGROUND

Devon is the Highlands of southern England. A mountainous country, hemmed in by the sea, it discovers in its physical characteristics the explanation of the disparity of its individual history from that of the rich valleys to the east and north of it. It is a wholesome wind-drained land, dominated by heather-clad, pixy-haunted moors, here rising two thousand feet into bare granite tors, and there falling into long, densely wooded combes through which the streams seek the sea. Here we find man concerned with orchards and cider, with beef and dairy cattle, with long-wool sheep on hill pastures, with deep-sea herring fisheries.¹ It is a land which, time out of mind, has mined tin, manufactured woolen cloth, and followed the sea; a land of numerous gentry dwelling in Tudor houses,² which has produced

¹ Cf. Kingsley's ballad:

“For O! it's the herrings and the good brown beef,
And the cider and the cream so white;
O! they are the making of the jolly Devon lads,
For to play, and eke to fight.”

² See the beautifully executed copperplates in the Rev. Richard Pol-
whale's *History of Devonshire*, Exeter, 1793-1806, 3 vols. folio This



such various characters as St. Boniface, Drake, Raleigh, Richard Hooker, Monck, the Duke of Marlborough, Sir Joshua Reynolds, and the Coleridges; where the women mature early and bloom long through the brilliant complexions with which the cool humid atmosphere endows them.

Man has such a span of recorded history in Devon that the family of which we are about to treat, ancient as it is, seems almost *parvenu* when one calls the roll of those who came before them. The limestone caverns of the south coast (Kents Hole and Brixham) have revealed evidence that before the glacial epoch Paleolithic man thence looked down a snow-clad mountain-side upon the broad valley through which he had made his way from the land we know as France, a valley divided only by the mighty river which carried the Devon streams, as it did the waters of Somme and Seine, into the sea far away to the west and south; while the barrows and cromlechs of Dartmoor testify that in a much later but still dim age the country was inhabited by the Neolithic man ("the dark-haired Iberian") who erected the immemorial Stonehenge. It

county history, worthy, in form at least, to stand by Dugdale's *Warwickshire*, is a representative of all that was noble in the art of book-making in England in the eighteenth century: a tall folio, imperishable linen paper, artistic typography, luxuriously spaced and embellished, it suggests the solidity and real elegance of the age in which it was produced.

was this last population which gave way before the bronze weapons of the first westward-faring conquerors, those Celtic Goidels (we used to call them Gaels), who in turn were to retire into Ireland before the iron tools of later invaders of their own race, the Brythons (or Cymri), whom Julius Cæsar found in possession of the island he knew as Britain. Cæsar never saw Devon, but for centuries merchants of the great world had frequented it. Certainly Greeks from the time of Alexander the Great, and probably the Phœnicians before them, traded there for tin, with the result that in Cæsar's day the inhabitants of Devon were deemed by the Greeks more civilized and courteous to strangers than any other of the Britons.¹ The country was at

¹ Cf. Diodorus Siculus, v, 21, quoting Posidonius. Modern scholarship now questions the identification of the Scilly Islands with the mysterious Phœnician "tin islands," the Cassiterides, of which Herodotus (iii, 115) could obtain no information, and of whose desperate protection from the eyes of prying mercantile competitors Strabo (iii, 5) tells a well known story; but the tradition that the Phœnicians drew on the tin mines of southwestern Britain is strong and, despite lack of confirmatory evidence, is supported by the probabilities. The *locus classicus* for the tradition is the *Ora Maritima* of Festus Avienus, written in the fourth century A.D., purporting to quote the Carthaginian annalists. Scholars agree, however, that the obvious imitation of Massilian money in the earliest British coins supposed to date from 200 B.C. proves a Greek trade with Britain from at least that time. The assumption is that this trade was inaugurated by Pytheas of Massilia, who visited Britain in the fourth century B.C. Posidonius, writing not long before Cæsar's expedition, after a sojourn at Massilia, if not in Britain, described the tin traffic through Gaul as in full swing, and yet Cæsar testifies (*B.G.*, iv, 20) that he interrogated the Massilian merchants in vain for information about Britain: doubtless they had learned from the Phœnician tradition the advantage of



first known to the Greek geographers as Belerion, but after the first century A.D. as Damnonion,¹ from the name of the local Celtic tribe which spread from Land's End to the Mendip Hills, and thence was derived the Roman name; but this broad territory has been immemorially divided by the River Tamar into two districts, corresponding with the modern shires, Dyfnaint (the Deep Vales) to the east, and Corneu (the Horn) to the west.

When, nearly a century after Cæsar's visit, Claudius determined to make Britain a province of his world empire, the conquering Roman must have already succeeded to the tin trade and so (on modern analogy) probably had less difficulty in accomplishing a "peaceful penetration" of Devon, which largely subsisted on that trade, than of any other part of the island: at all events the Roman held Dumnonia for a period greater than separates us from Queen Elizabeth. After the Roman withdrew there was here set up an independent Celtic government, which endured for another like term before the conquering Saxon incorporated any part of it in his kingdom of Wessex. During this last Celtic age the land is

keeping the secret of a monopoly. At all events, in the light of Posidonius' statement, Cæsar's remark (*B.G.*, v, 14) that of all the Britons the men of Kent were *humanissimi*, is evidence that he was not influenced by the current Greek opinion, but relied only on his own observation.

¹ Ptolemy, viii, 2.



covered by an impenetrable northern fog, but we do know that the Christianity established under the Roman persisted without interruption, and we can fairly assume that the tin trade went on: it seems reasonable, then, to conclude that what the Saxon called "West Wales" must have kept in touch with the great world throughout this period of historical oblivion, and so have been a more agreeable and peaceful, because a more mercantile, place than the contemporary Teutonic England, given over to its "wars of kites and crows." While Roman London, hemmed in but neglected by barbarian pagans, cut off from the sea, its trade dried up, was no longer frequented by foreign merchants, and so, the reason for its existence gone, was abandoned to a population of fugitive slaves, living "like the Arabs in the ruins of Palmyra," is it not likely that Christian Caerwisc (Exeter) still flourished: for was it not still immune from invasion and freely accessible, by a short passage of the Channel, to ships from Rotomagus (Rouen), that immemorial outpost of the trade routes across Gaul, and did not its merchants still control the largest known supply of a metal demanded by all civilized people? When the Saxon did come to Devon he was himself a Christian and by way of becoming a merchant and dweller in towns: his conquest no longer spelling extermination, the foreign trade of



Devon went on for more centuries, though subject to increasing interruptions, for through our glimpses of local history now loom dimly unavailing Celtic revolts, raids by Norseman and Dane, and the wars of Alfred the Great.

Here at last arrived the sixth foreign conqueror, the Norman, with whom we have presently to do. He found the native Devon man he was to govern to be now an Englishman, that example of the successful fusing of races into a conservative national character which is the hope of an America just beginning a similar experiment. For it is not the least interesting fact about Devon that as all the conquests had ranged from east to west the residuum from each succeeding race withdrawal was precipitated on its soil: if to the mixture of "Iberian," Celt, and Saxon we add dashes of the blood of Phœnician and Greek merchants, of Roman colonists, of the orientals among the Roman legionaries, and of Scandinavian pirates, we can rank Devon as a racial melting-pot not unworthy of comparison with Chicago. When the Norman came the Celtic element still predominated in the Devon man and showed itself in his tongue and in a disposition more cheerful and imaginative than that of the typical Teutonic John Bull, but as a political animal his Saxon cross had made him utterly unlike his nearest Celtic kinsman across the Irish Sea. So he remains to this day.



CHAPTER TWO

THE DOMESDAY MANOR OF KARI

The Norman Conqueror, parceling out the land of Devon among his followers, thereby created a number of honours or baronies, of which the fees were held, in feudal language, *in capite*, or directly of the crown. These honours were made up of the Saxon hundreds, which, in turn, included the ancient manors usually undisturbed as to name and boundary, but now held mediately, of the new tenant in chief, by the class which became a minor gentry. One of the most important of the Devon Honours was that granted to a Breton adventurer, Juhel, who assumed from his chief seat the place name "of Totnes." Translated *de Totonais*, this gave the name of Totton to the fee.¹ When in 1086 the

¹ Victoria County History, *Devon*, i, 558. The honour of Totton passed through the mailed fists of the feudal barons Nonant, Braose, Cantilupe, and Zouche, and was ultimately granted by Henry VII to a simple gentleman, Sir Richard Edgecumbe of Cothele, that fifteenth-century manor-house which still stands above the Tamar in Cornwall. This representative of the Devon family of Edgecumbe of Edgecumbe (near Crediton) was more fortunate in his loyalty to the Red Rose than his contemporary and neighbor from the other side of the Tamar, Sir William Cary. After romantic adventure in escaping the wrath of Richard III he risked

Domesday commissioners came to survey this honour of Totton they found included in it on the western limit of Listone (or Lifton) Hundred a manor of *Kari*,¹ which had taken its name, no one knew when, from the stream on which it lay. This "pretty brook," as Risdon described it, flows from a fountain in the Broadbury Downs, which divide the valleys of Tamar and Torridge, and swells the Tamar on its way to

his life and fortunes with those of the Earl of Richmond and was present at Bosworth Field: his reward supports an Earl of Mount Edgecumbe to this day. See *Collins Peerage*, ed. Brydges, v, 306.

¹ *The spelling of the name.* Beginning thus with *Kari* in Domesday, we find it in a twelfth-century document *Cari* and in the fourteenth still in the process of change from *Kary* to *Cary*. In the fifteenth century it is indifferently *Care*, *Carre*, *Carie*, *Caree*, and *Carree*. By the sixteenth century it has become quite uniformly *Carye*, and seemed destined to crystallize in that form; but towards the beginning of the seventeenth there is a distinct separation of practice which has persisted ever since. On the one hand the Devon and Bristol families, and the Falklands as well, then drop the final *e* and revert to *Cary*. The Hunsdons, on the other hand, then begin to transpose the final letters and spell *Carey*, which, with some inconsistency of practice, they maintained to the end of their history. This latter standard was apparently set by Sir George Carey, second Lord Hunsdon, after a preliminary essay as *Careie*. (See *Holinshed*, iv, 246.) His father represents the transition: thus in his marriage license, 1545, and when he first went to Parliament, 1554, he spelled *Carye*; later he fell into *Carey*, and so at last it appears on his tomb in Westminster Abbey. On the other hand, if we may rely on Lord Cork's transcription of his *Memoirs* (rather than Sir Walter Scott's subsequent edition), the youngest of Lord Hunsdon's sons, Sir Robert, who became Earl of Monmouth, spelled *Cary*, as did his sons (*e.g.*, in the M.I. of Thomas Carey in Westminster Abbey, *post*, p. 390), while Sir Francis Knollys on his wife's tomb spelled the name of her father and of Lord Hunsdon *Caree*. (Dart, *Westmonasterium*, ii, 113, pl. 13.) No other recognizable branch of the Devon stock has at any time deliberately followed the Hunsdon precedent, but they have all had it imposed on them more or less. As the Hunsdons were the first Carys to take a conspicuous place in the world their spelling has not only

Plymouth Sound. It has always been called Cary or Carywater. The name is derived from the Celtic: perhaps from the root *car*, a pool, as represented by *carth*, a scouring stream, though more probably from *caer*, a fort, with reference to some early British earthwork on its banks.¹

In describing this property the Domesday been followed by the families of northern and eastern origin which have the name (though no other relation to the Devon stock), but has entered largely into the literary tradition. Thus the editors of Clarendon, whose trumpet has given the name its widest fame, had their historical and political memory fixed on the Hunsdons of the preceding generation when they spelled the name of the second Lord Falkland *Carey*, although Falkland and Clarendon himself (Nichol Smith, *Characters of the Seventeenth Century*) spelled it *Cary*. Sir Walter Scott made the same mistake with respect to another of the Falkland family. Finally, the crowning inconsistency is that modern official usage has settled upon *Carey* as applied not only to the three streets in London called after the Devon family, but, on the ordnance map, to the very manor from which they derive their patronymic.

¹ Whether the Celtic *caer* is in turn derived from Roman *castra*, like the Saxon *chester* (e.g., Colchester) and the Anglian *caster* (e.g., Tadcaster), or whether *caer* may not have affiliations with the Phœnician *car*, a town (e.g., Carthage, and the Etruscan city settled by the Phœnicians, Caere), the learned Isaac Taylor (*Words and Places*, 197 and 82) is willing to conjecture but not to assert. It is not impossible that the place name Cary in Devon relates back to Phœnician commercial relations with the Damno-nians, but such a conjecture is painfully far-fetched; we are on safer ground in assuming that the name is purely Celtic, especially as that race left it inscribed on the map of Brittany as well as in several parts of the west of England, in Scotland, and in Ireland. Thus we find Castle Cary in Somerset, Castle Cary in Dumbar-tonshire, Scotland, the barony of Cary in Herefordshire, and the barony of Cary in County Antrim, Ireland, all independent manifestations of place names having their origin in a similar, but not the same, fact—the site of a fort of a Celtic people. Illustrations could be multiplied by citation of the numberless compounded variations of the root surviving in other forms in the same sense, from Cahir in Tipperary, through Wales, to Carlisle in Cumberland.

The modern Carys who have named their habitations in several parts of the world *Carysbrook* have their justification in the

book¹ gives us an enduring picture of a typical Devon manor as it was twenty years after the Norman conquest:

JUHEL has a manor called *Kari* which Chenestan held *tempore Regis Edwardi* [1066] and it paid [Dane] geld for 1½ virgates. This 6 ploughs can till. Waldin now holds it of Juhel. Thereof Waldin has ½ virgate and 1 plough in demesne and the villeins 1 virgate and 3½ ploughs. There Waldin has 8 villeins, 6 cottars, 3 serfs, 8 beasts, 42 sheep, 20 goats, 20 acres of woodland, 40 acres of meadow and pasture 2 furlongs in length by 1 in breadth. Worth 40 shillings a year: when Juhel received it it was worth 50 shillings.

The land listed as virgate consisted of the curtilages lying immediately about the manor-house and village, used for gardens, etc.; that listed as plough was the arable land. A virgate was in area say 30 acres, and a plough 120; so that the total area of the manor of *Kari* at the Domesday survey, including woodland and pasture, was about 645 acres, not to speak of the adjacent waste land later to be taken under cultivation.

The Saxon system of manorial communistic agriculture, under which the lord and each villein had his proportionate share of unfenced ribbands of plough in the "common fields" (which can still be seen in practice in the Isle of Axholm

Devonshire stream *Carywater* rather than in the castle on the Isle of Wight. Taylor (p. 66) says that Carisbrook derived its name from the Saxon *Gwiti-gara-byrig*, "the burgh of the men of Wight," and has nothing to do with any *caer* or any brook.

¹ *Exon Domesday*, fol. 3168. The translation is that of O. J. Reichel in the *Victoria County History, Devon*, i, 467.



on the River Trent in Lincolnshire, where John Wesley grew up), may have once obtained in Devon, but was probably abandoned there before the Conquest, under the influence of the damp climate. The characteristic Devon landscape, of small fields divided by earthworks faced with stone on which tall hedges flourish, is, then, as old as Domesday.¹ The peasants, once freeholders, but now paying rent in agricultural labor on the lords demesne land, in customary tributes of produce and in fines on marriage, etc., here appear almost at the nadir of their long process of social depression, as their gradations, villeins, cottars, and serfs indicate; it has been well said that their very liberty "was trembling in the balance when King William came to England."

Until the fifteenth century, when brick (or "cob") and stone came into general use for building purposes, the manor-house was doubtless much such a simple wooden structure as harbored the first Cary of Virginia in the seventeenth century. We can picture the surroundings:

On a manorial estate at the beginning of the thirteenth century only the church, the manor house and perhaps the mill rose out conspicuously. There were no detached isolated farm houses: but the remaining buildings of the village grouped together in a sort of street were the homes of the

¹ See Curtler, *History of English Agriculture*, 1909, i; Prothero, *English Farming Past and Present*, 1912, i; and Hall, *A Pilgrimage of British Farming*, 1913, 356 and 101.



peasantry who occupied and cultivated the greater part of the land. At some little distance from the village stood the manor hall or barton, with its outbuildings, garden and fish pond, surrounded by clay built walls with thatched tops. . . . The house itself was built of timber and clay. . . . It often consisted of a single hall plastered inside, open to the roof and earthfloored, which served as court of justice, dining room and bed chamber. At one end of the central room was a stable: at the other a chamber, kitchen or larder. Below one part of the ground floor was a cellar: above another part was, perhaps, a "solar" or parlor, approached by an outside staircase. . . . The outbuildings consisted of bake house, stables, dairy, cattle and poultry houses, granary and dove cote.¹

Turning now to the lords of this manor of Kari, we are able to see, in the Domesday entry, the fortunate Juhel "de Totonais" taking possession of one small item of the lordship granted him by the Conqueror as his dividend of the spoils of a great adventure. We see also the tragedy of the expulsion of the Saxon Chenestan from his patrimony and the introduction in his room of another Breton, Waldin, clearly a follower of Juhel and a less successful manager than his Saxon predecessor. The evidence of their names is all these two minor actors have left us of their lives. Chenestan may have been one of the comparatively few Devon men who supported Harold and his family and paid the price of his loyalty, for the Domesday book reveals an unusually large proportion of Saxons left in possession of their lands in Devon and

¹ Prothero, *English Farming Past and Present*, 1912, 5.

the explanation is found in the hostility of Devon to Harold. One may think of Chenestan living on and working as a villein on the lands of which he was once lord, like Melibæus or Ofellus.¹

Mr. Freeman² indulges in the stimulating conjecture that the Breton adventurers who swarmed after the Conqueror were descendants of Britons who in the fifth century had fled before the Saxon to Armorica and so were now returning "home." If Waldin's ancestors may thus have once dwelt in Devon there is no proof that the race maintained their new foothold. It is, of course, possible that Waldin's blood passed with the title of the manor through the marriage of an heiress, but so far as the record goes his family disappeared from Devon in the next generation when Juhel's son was in trouble with the crown.

We have no further record of Kari until 1166, when one Hugh de Carevill held $5\frac{1}{3}$ fees "of the tenement of Totnes,"³ which by 1205 had passed to a Norman family of Pipard, of whom the several contemporary representatives were then grouped generically as *Pipardenses*.⁴ In

¹ Virgil, *Eclogue*, i, and Horace, *Satire*, ii, 2.

² *Norman Conquest*, iv, 144, 173.

³ *Liber Niger*, 125.

⁴ *Devon Feet of Fines*, 1196-1272 (ed. Reichel for Devon and Cornwall Record Society), No. 56. The Pipards may be identified at Caen in Normandy long after the English conquest. (*Norman Exchequer Rolls*, ed. T. Stapleton for London Society of Antiquaries, 1844, ii, pp. lxxiv, clviii.) When they emigrated to England, probably at the accession of Henry II, one of them established himself in Buckinghamshire. This branch rose higher than that of Devon, appearing as sheriff and holding high office at court

1238, 1243, and 1249 there are glimpses of one of this family, William Pipard, holding several of these manors of the honour of Totton, including *Cary*,¹ as the name now reappears. In 1286 Thomas Pipard² had recently died seized of, among others, the manor of Cary, and was succeeded by his son William,³ who died under age in 1300 and was followed by his uncle John Pipard,⁴ aged thirty, brother of Thomas. In 1346 another William⁵ had succeeded to possession of the same properties. With this last William the Pipard name seems to have lapsed in Devon, for it is recorded that at the end of the fourteenth century the heiress of the Devon Pipards married Roger de Lisle and became the ancestress of many baronial families. At all events, when the Domesday Kari next appears in the records, in 1428, it is held by Richard Beauchamp, Earl of Warwick, and John Donworthy in succession to the last William Pipard.⁶

under Henry III. Later, Ralph Pipard of Rotherfield Pipard, Oxon, was summoned to Parliament as a baron in 1298. (*The Red Book of the Exchequer*, ii, 558; the *Pipe Rolls* of Henry II *passim*; Dugdale, *Baronage*, 1675, ii, 8; Burke, *Extinct Peerages*, 421; G. E. C., vi, 252.) For Pipard in Devon, *temp.* Henry II and thereafter, see Pole, *Collections*, 180, 263, 328, 352; Lysons, *Devon*, clxviii, 55; Cleveland, *Battle Abbey Roll*, iii, 321. These Pipards bore arms *Arg., 3 bars gemelles az.*

¹ *Devon Feet of Fines*, Nos. 308 and 463: *Testa de Nevill*, fol. 798.

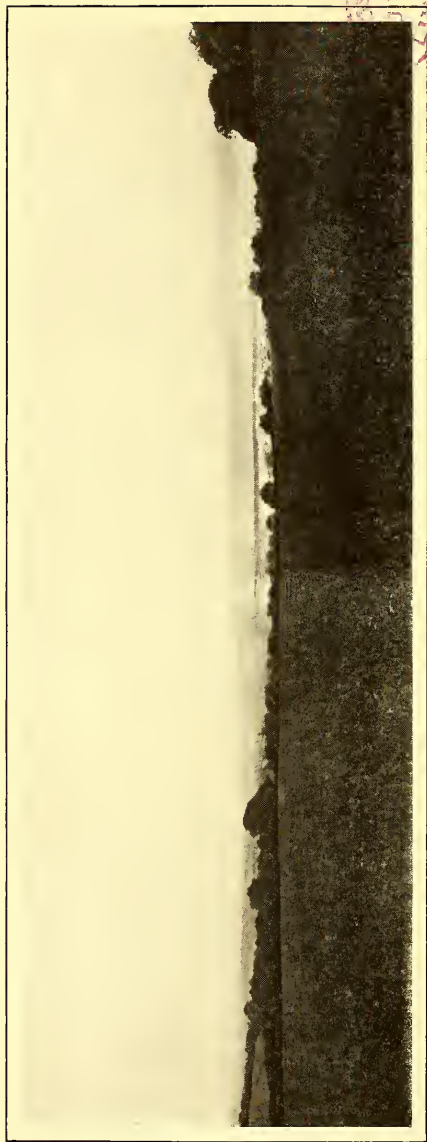
² *Inq. p.m.*, 14 Edw. I, No. 26, in *Calendarium Genealogicum*, Rolls Series, 1865.

³ *Inq. p.m.*, 28 Edw. I, No. 37.

⁴ *Burton's List of Knights' Fees and Tax Roll for Devon*, 31 Edw. I, ed. Reichel, *Transactions Devon Association*, xxviii, 483; xxxi, 376.

⁵ *Fendal Aids*, 405.

⁶ *Ibid.*, 449.



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CHAPTER THREE

CARY OF CARY

Cary of Cary, the family whose fortunes we are to follow, is not identified on the surviving historical records before the beginning of the fourteenth century, but when they do appear it is against a background which suggests that their ancestors must have been landholders in Devon during at least the preceding century. If the proof of their establishment in Devon is lacking, there is nothing in the surviving records to contradict the later tradition that they were there at the end of the twelfth century. Some genealogists¹ have conjectured that they were a cadet branch of the Pipards who, as we have seen, held the Domesday manor of Kari throughout the thirteenth and fourteenth centuries, and that they derived their name from that manor. This, of course, is possible, even if there is no evidence to prove it, but the conjecture is weakened by

¹ See, *e.g.*, *Norman People* (1874), which identifies Cary and Pipard without qualification, and, anxious to trace the Carys to Domesday, asserts that the Waldin who then held *Kari* was named Waldin Pipard. No evidence for these statements is adduced.

the failure, until recently,¹ to appreciate that there were two manors on Carywater, both bearing its name: that Cary of Cary never held the Domesday Kari, which, as we have seen, was in the hundred of Lifton and the honour of Totton, but when he appears in authentic records is established in the tenure of another Cary, lying on the opposite or western bank of Carywater in the hundred of Blacktorrington and the honour of Tavistock.² This Tavistock Cary

¹ In that fascinating archeological game, the identification of Domesday manors, it was long assumed in Devon that the Domesday *Kari* was the later *Cary* in the parish of St. Giles in the Heath. See, e.g., Worth in *Transactions* Devon Association, xxv, 327. The more recent systematic studies of the Exon Domesday by the Rev. O. J. Reichel have enabled him to distinguish between the two Carys on Carywater (see *Transactions* Devon Association, xxviii, 468), with the result that the genealogist must abandon the old hypotheses as to the origin of the Carys.

² The mitred abbot of Tavistock remained the overlord of the honour of Tavistock until the dissolution of the religious houses by Henry VIII, when the fee passed to the Russells, earls and dukes of Bedford, who are still in possession (Victoria County History, *Devon*, i). When the house of Russell had established itself as one of the governing families of England it asserted an unbroken tradition from the Norman du Rozel, which is still maintained (e.g., in Burke's *Peerage*). That implacable iconoclast Mr. Horace Round has, however, proven (*Studies in Peerage and Family History*, 1901, 250) that their founder was a prosperous merchant at Weymouth in Dorset who sat in Parliament as a burgess in 1425. In the time of Henry VIII they were, like the Carys, still of the minor gentry. John Russell (see, in Lodge's *Portraits*, vol. ii, his beautiful face and noble white beard "*onor del mento*") was then introduced at court under most favorable auspices as the result of a stroke of sheer luck, and there was "raised by being a minion of Henry VIII." His descendant in the eighteenth century achieved immortality by forcing Burke (*Letter to a Noble Lord*) "to compare my little merit with that which obtained from the crown those prodigies of profuse donation by which he tramples on the mediocrity of humbler and laborious individuals."

did not receive its name until some time after Domesday.

In 1086 the manor across Carywater from Kari was known as Paneston.¹ In the middle of the thirteenth century it was known as "Paneston and Kary," as appears from this entry in the inquest of 1241:

Richard Passemer holds the seventh part of a Knights fee in Panneston and Kary.²

That this is not a statement of a joint tenure of the Domesday Kari with the Domesday Paneston is clear, because, as we have seen, the Domesday Kari appears, in the same record, held by William Pipard and by itself represented a third of a fee. Passemer's Kary must, then, have been a part of his Panneston. Lacking evidence for a certain explanation we have to be content to conjecture that in 1241 that part of the manor of Panneston which bordered on Carywater had recently experienced what the manor opposite to it had experienced centuries before: that is to say, it had had bestowed on it from Carywater a special name for the purposes of neighborhood designation. It is clear in any event, though here again we lack a definite record to fix the circumstances, that some time after 1241 this Tavistock Kary became separated from

¹ *Exon Domesday*, fol. 411b, in *Victoria County History, Devon*, i, 510, 538.

² *Testa de Nevill*, fol. 777.

Panneston¹ and passed to the family whose history we are recording. The evidence for this deduction is that not only did that family long have its principal manor-house, the "Castle Carye" of the Visitation of 1620, within the parish of St. Giles and so in the honour of Tavistock, but their muniments of the middle of the fourteenth century, and thenceforth distinguish the two Carys by the designation of their Cary as *Upcary*, while the Domesday Kari became known, as it is designated by the modern ordnance map, as *Downacary*.

If we cannot identify them, there were nevertheless men in Devon who bore the name Cary in the twelfth and thirteenth centuries, but they all appear holding other lands than either the Totton or the Tavistock manors we have described.

Thus in 1198 one Sanson de Cari² is in litigation over lands in Bocland; in 1243 Richard de Kary³ held Tulllesle; and in 1303 Walter de Cary⁴ held West Poleworthy. As these estates

¹ Long after the separation, whenever it took place, Paneston was in the tenure of a family which took from it their name. Pole says (*Collections*, 352) that the Panstons of Panston persisted until the time of Henry VI, when their heiress married Carwithan, that latter family being still extant in Pole's day. The ancient manor-house of Panston still stands and appears on the ordnance map, to the north of Cary barton, under the name Hollow Panson.

² *Devon Feet of Fines*, 1196-1272 (ed. Reichel for Devon and Cornwall Record Society), No. 4, p. 6.

³ *Testa de Nevill*, fol. 815, p. 1888.

⁴ *Tax Roll for Devon*, 31 Edw. I, *Transactions* Devon Association, xxxi, 403.

were all in the vicinity of the two Carys it is probable that the tenants were of the same family as the later Cary of Cary, or at least that they had derived their names from one or the other of the manors on Carywater, but nothing has appeared to relate them to either of those manors or to connect them genealogically one with another.¹

In our search for the crepuscular Carys we are then driven back upon the traditional pedigrees which were formulated in the sixteenth and seventeenth centuries for the Visitations of Devon by the Heralds' College.² These begin indefinitely but apparently at least a century after Domesday, and run for two descents be-

¹ The name does not appear in the list of knights' fees held of Tavistock Abbey, *temp.* Henry I (*Liber niger Scaccarii*, ed. Hearne, i, 117), nor in any of the Pipe Rolls to and including that of 32 Henry II (*Publications Pipe Rolls Society*, 1884-1914, vols. i-xxxvi).

² *The Visitation pedigrees.* While there are incomplete Cary pedigrees recorded in the surviving fragments of Benoltre's Visitation of Devon in 1531 and Hanecy's Visitation of 1562-5, Mr. Ashworth P. Burke, editor of the *Peerage*, was of opinion (Letter to Lord Falkland, 1907, in *W. M. Cary Notes*) that the full pedigree in the Visitation of Devon of 1620, made under the direction of Camden, must remain "the basis of all research into the history of the family before that year." The original evidences upon which this pedigree of 1620 was prepared by the heralds Henry St. George and Sampson Leonard are still in existence as *Harleian MS.* No. 1764, fol. 14, in the British Museum. They are attested on behalf of the family by William Cary: the very William Cary of Clovelly (1576-1652) whom we meet in Kingsley's novel *Westward Ho!* They are reproduced in *Publications of the Harleian Society*, 1872, vi, 47. The pedigree itself may be most profitably and conveniently studied in the annotated compilation of all three Visitations included in Colonel J. L. Vivian's invaluable *Visitations of the County of Devon*, Exeter, 1895, or in Tuckett's *Devonshire Pedigrees*, 141.



fore we reach, in the time of Edward I, the earliest surviving documents in which the family may be even tentatively identified. The elaborate pedigree compiled in the Heralds' College in 1701¹ does, indeed, begin with a definite date, 1198, *temp.* Richard I, as the *floruit* of the founder, which might be applied to the Sanson de Cari whom we have met, if there were any record to identify him, which there is not.

It seems necessary, then, for at least four generations, to be content with the tradition, although it leads us into no little confusion as we attempt to test it by authenticated records either of the Cary name or of the other Devon families with which the earliest Carys are reputed to have intermarried.

¹ The pedigree of 1701 was based on the Visitation of 1620, but shows evidence of subsequent access to the Domesday book, the earliest Feet of Fines, and the Hundred Rolls, and of critical genealogical study. It may doubtless be traced to Sir William Segar, the Garter King-of-Arms, who died in 1633, for Ralph Thoresby attributes to him a somewhat similar Cary pedigree included in the *Ducatus Leodiensis* in 1715. Whoever was responsible, the result fully justifies the claim on the handsome parchment exemplar now in the possession of a member of the family, that what it records was "faithfully collected from the Books and Records of the College of Arms and other authentic Testimonies, and deduced down to this year 1701." The *W. M. Cary Notes* include a transcript of this parchment of 1701, made from the original in 1907. There is a transcript of a late seventeenth-century parchment of what seems to be a portion of the same pedigree in Crisp's *Fragmenta Genealogica*, 1889, i, 19. No one who has occasion to study the Carys can fairly avoid obligation also to the modern and scholarly researches of Messrs. Dymond and Robinson, as published in J. G. Nichols' *Herald and Genealogist*, ii-viii, though the printer of that publication did not do them justice. Neither of them attempted any archeological exploration of the origin, however.

Here, then, is what the Visitation pedigrees, examined critically and pieced out with such other scraps of evidence as can be collected, tell us of the early generations of Cary of Cary.

I. ADAM DE CARY (sometimes styled Adam de Kari and sometimes Adam Carye) is reputed to be the founder of the family and to have flourished in the time of Richard I. The Visitation of 1620, where he makes his first appearance, describes him as "of Castle Carye, Esq.," and testifies not only that he bore arms *gules chevron entre three swans argent*,¹ but that he married Amy, daughter of Sir William Trevit, knight. The Trevits were long established at Chilton Trivet and Durborough in Somerset.² The attribution of this marriage and the fact that there were Carys in Somerset *temp.* Edward I and

¹ The swan survives as the Cary crest, though eliminated from the arms, which certainly since the day of the Chief Baron (1356) have been *argent, on a bend sable, three roses of the field*. Arguing doubtless from the canting practice of the old heralds, the Rev. C. J. Robinson says (*Herald and Genealogist*, iv, 385) in reference to the crest: "The swan, it may be noticed, was perhaps originally adopted by the family because the bird is so much associated with the ancient Caria." This is ingenious, but the present editor has been unable to find any classical reference to the swan in relation to ancient Caria. Clazomenæ in Ionia and Mallus in Cilicia celebrated the swan in their beautiful coin types, but no Carian city did so. See Head, *Historia Numorum*, 2d ed., 568, 725.

² Collinson, *Somerset*, iii, 89. The learned friar Nicholas Trivet, who wrote a chronicle of the reign of Edward I, and that adventurous soldier Sir Thomas Trevit, who is revealed to us by Froissart in the midst of hairbreadth 'scapes on the continent during the Hundred Years' War, were both of this family. See *Dict. Nat. Biog.* (reissue ed.), xix, 1161 ff.



Edward III may originally have induced the interpretation, now become almost a tradition, that the Devon Carys themselves had their origin in Somerset. This interpretation is, however, purely literary.

The classical book of Thomas Westcote, *A View of Devonshire in MDCXXX*, though not printed until 1845, was long passed around in MS., and, among the learned at Exeter, became the source from which the succeeding historians of Devon, Pole, Risdon, Prince, Izacke, and Polwhele, drew much of their information about the early Carys among other Devon worthies. Westcote derived his genealogical material from the Visitation of 1620, and interpreted (p. 507) the "Castle Carye" therein mentioned as the seat of the reputed founder of the family to be a reference to *Castle Cary* in Somersetshire. He seems to have been the first to voice this specific attribution; at all events he was followed by most of the subsequent genealogists, though they all immediately transfer the family with which we are now concerned to Cary in Devon. This unexplained transfer to another place, which had long borne the same name, soon invited question. Thus Westcote's contemporary Tristram Risdon¹ describes the parish of St. Giles in the Heath as "hemmed in with the Tamar river on the one side and a pretty brook

¹ *Chorographical Description . . . of Devon*, 1714, 229.



called Cary on the other: whereof (if I conceive not amiss) the surname of the Carys took beginning, for in this parish that family possessed an ancient dwelling bearing their name." This seems to have convinced Prince.¹ At the beginning of the nineteenth century Daniel Lysons² confirmed Risdon's cautious suggestion with a definite judgment:

The origin of this ancient family seems enveloped in much obscurity. . . . It is most probable that Cary which adjoins Panston was the original place of their residence.

That Risdon and Lysons were right is now evident. Modern research has failed to identify any Adam in relation to Castle Cary or otherwise in Somerset in or about the time of Richard I. He does not appear, as, had he ever existed and held as important a fee as the Somerset Castle Cary, he surely would appear, in the contemporary lists in which one finds the Englishmen of the Angevin times who did feudal service or paid scutage to the crown: the *Liber Rubeus* of the Exchequer, the Pipe Rolls, the Hundred Rolls, the Feet of Fines—those sequels of Domesday whose archaic MS. and crabbed, abbreviated Latin were until the nineteenth century practically inaccessible and so mysterious that no complaisant herald was debarred by

¹ *Worthies*, 176.

² *Magna Britannia*, 1806-1822, vi, part 1, 138, 247.



fear of their testimony from gratifying family pride by bold and solemn asseveration on parchment if only it was within the probabilities and did not venture too much specification; but now those ancient vouchers are open to all the world, in fair print with exhaustive indexes, and so have served to puncture many a traditional genealogical myth.¹ On the other hand, the undeniable records to which we have referred show the Somersetshire Castle Cary firmly vested in the inheritance of the family of Lovel both long before and long after the date attributed to Adam de Cary; indeed, we see that fee in the process of transfer from one Lovel to another at the very moment Westcote has conferred it on Adam.² To this negative evidence may be added the positive fact that the papers supporting the Visitation of 1620 (*Harl. MS.*, 1764), in which Westcote found his Castle Carye, specifically refer to the fifth generation of the Carys as residing at "Castle Carye in Devon," and so prove that the Castle Carye mentioned earlier in the same document was intended to be the same

¹ A modern English archivist has picturesquely labeled Burke's *Peerage* a "gorgeous repertory of genealogical mythology." Mr. J. H. Round is equally severe. It is fair to say that this is less true with every new edition.

² In the first year of King John (1199) Ralph Lovel paid sixty pounds for livery of his barony of Kary (in Somerset) on the death of his father Henry, who appears also several times in the records under Henry II. This Castle Kary continued in the hands of the Lovels until the time of Edward III. See Dugdale, *Baronage*, 1675, i, 637.

place. We venture then definitely to discard the tradition of an origin in Somerset.¹ It will be observed also that, having once created their Adam, the Jacobean genealogists proceeded with

¹ It is not to be denied, however, that there is excuse for uncritical confusion. Castle Cary in Somerset was a Domesday manor of *Cari*. It is on a stream still called *Cary*, which on its lower reaches gives its name to *Babcary*, *Lytes Cary*, and *Cary Fitzpaine*. It was the site of an ancient fortress which became a Norman castle, figures in the *Gesta Stephani* as "castellum Carith," and was held successively by Percevals, Lovels, St. Maurs, and Zouches, among whose descendants the barony of Lovel of Castle Cary is still in abeyance. Doubtless it was here that

"Lord Lovel he stood at his castle gate
A-combing his milk-white steed."

Also, as early as Edward I there were Carys in Somerset, the Roger and Thomas de Cary hereafter noted; and in the time of Edward III a John Cary of Gotton, who bore arms, a bat displayed surmounted by a label of three points (Collison, *Somerset*, iii, 455): we conjecture that some of them were an offshoot of the Devon family, but they add to the confusion. Again, in the seventeenth century there appears at Evercreech in the neighborhood of Castle Cary a family of Carys who describe themselves in their wills as yeomen: it does not appear that they had any connection with the Devon family, like the Gotton Carys under Edward III, but were probably entirely independent manifestations of a place name assumed by a tenant.

The Somersetshire castle has long since disappeared, but the name Castle Cary remains as that of a market town at a junction of two lines of the Great Western Railway. (See Collinson, *History of Somerset*, 1791, ii, 51; Kelly, *Somersetshire County Topography*, 1875.) The form "*Castle Cary*," in which both words have the same meaning, is a clear pleonasm, like "*River Avon*," common enough in a land where several races, speaking different tongues, have succeeded to possession of the soil, preserving the place names of their predecessors with the addition of their own word for the same object.

Quite recently currency has been given to another but quite absurd conjecture as to the origin of the Devon Carys. In his heavy, well intended, and uninspired *Life and Times of Lucius Cary Viscount Falkland* (1907), Mr. J. A. R. Marriott, a professional scholar of Oxford, evidently educated without sense of humor but with a fearful respect for all MS. authority, has a note (p. 47) to the effect that "the Carys, though long settled in Devonshire, were of Scotch ex-



a studied, if not always convincing, effort to array the succeeding early traditional Carys in an orderly alternation of Williams and Johns. Here they were on safer ground even in default of records, for both were Pipard names and the Visitation of 1564 backed them up. What, then, is the explanation of their Adam?

As old Westcote recognized with an arch smile, it is obviously a respectable name with which to begin a traditional pedigree. While Adam was a common enough Norman name it does not appear among the documented Carys or in their Visitation pedigrees prior to 1620. Now that last essay was authenticated by William Cary (1576-1652) of Clovelly after he had married the daughter of the antiquarian Richard Carew of East Anthony, the second recorded Cary-Carew alliance in the Clovelly household, and it is significant that we find an Adam de Montgomery, of the generation after the Conquest, given (as it turns out erroneously¹)

traction." For authority he invites one to "*cf. Harl. 2043, B. M. Class. Cat., Biog., ii, f. 162.*" Backed by so portentous a reference, this sounds convincing enough, but the MS. turns out to be merely one of the well known Randle Holme *Historical and Heraldic Collections* (for their authority see *Dict. Nat. Biog.*, ix, 1080), dating from about the time of the creation of the Falkland peerage. It begins a pedigree of the Falklands with the statement that the ancestors of Sir Edward Cary of Aldenham "were of Scottish parents but he a descendent from those that seated at Cockington in Com. of Devonshire." This is, then, nothing more than a bald conjecture, by one who knew nothing of Devonshire families, in an obvious effort to explain why the Falklands were granted a Scotch peerage.

¹ J. H. Round, "The Origin of the Carews," in *The Ancestor*, 1903, v, 19.



as the founder of the Carews in the pedigree which was compiled in 1573, by that respectable Devon antiquary John Vowell *alias* Hooker, to enable old Sir Peter Carew to assert title to lands in Ireland. It seems a fair guess then that the Carew Adam may have suggested the Cary Adam. Both families were safe within the couplet:

By Tre, Ros, Pol, Lan, Caer and Pen,
You may know the most Cornish men;

but perhaps a boast of a descent from Adam was deemed a justified retort to the boast of a greater territorial antiquity in England by some of their neighbors:

Crocker, Cruwys and Copplestone,
When the Conqueror came were all at home.

In any event the one boast has been as much justified by modern archeology as the other.¹ We must remember that it was Will Cary who was responsible for the appearance of "Adam de Carye" and that, if we can believe the testimony of *Westward Ho!*, he was a wag as well as a gallant gentleman.

II. JOHN DE CARY, sometimes styled Sir John de Kari, is the traditional representative of the

¹ None of the three "Saxon" families named in this last couplet is identified in Domesday, and none of them ever held any of the lands which Domesday shows to have remained in the possession of Saxon thegns.



second generation. Whatever was his true name, he must have flourished at a time when the soul of England was stirred by two great events, the coming of the Gothic (*e.g.*, Salisbury Cathedral) and the coming of the Friars. It was the time, too, of Simon de Montfort and the barons' war, in which we find Devon again, as in King John's time, on the side of the crown. This John de Cary is reputed to have married Elizabeth, daughter of "Sir Richard Stapleton, knight." The Devon Stapeldons (so the name is properly spelled, for they were of Stapeldon, a Celtic *dun*, not a Saxon *ton*, near Holsworthy and not far from Cary)—*nobili ortus prosapia*, says Bishop Godwin—had, when we here meet them, almost reached their acme, for in the next generation they produced their flowers—Walter de Stapeldon (1261–1326), Bishop of Exeter, and his crusading brother, Sir Richard, who thus may have been nephews of our John's wife. They played parts on the large stage of national history under Edward II and founded Exeter College at Oxford, as their monuments in Exeter Cathedral still testify. Early in the fifteenth century the Stapeldons became extinct when their heiress married Hankeford of Bulkworthy,¹ a representative Devon family with which a later Cary also intermarried.

¹ Pole, *Collections*, 365, and Lysons, *Devon*, clxx, 138. The Visitation of 1584, which begins its Cary pedigree with a John, avers that he married "d. of Hanckford." These Devon Stapeldons must be

III. WILLIAM DE CARY, who is named as the representative of the third traditional generation, begins what may be called the historical record of his family. The Tax Roll for Devon, 31 Edw. I,¹ shows "Panneston and Cary" in the hundred of Black Torrington as then held by the seventh part of a knight's fee by "Heirs of Ralph and Walter de Panneston." Collins² gives a specification and elaboration of this on the magisterial authority of Sir William Pole,³ viz.:

On the decease of William de Cary in 31 Edward I, Alice, his widow, daughter of Sir William Beaumont, Knight, held Panston and Karry of the Honour of Tavistock by the seventh part of a Knight's fee.

The Visitation of 1620 records that this William distinguished from the later Yorkshire Stapletons who took their name from a manor in the bishopric of Durham.

¹This is the source of much of the archeological genealogy for Devon. The copy of it usually cited is the MS. known as *Burton's List* (now in the British Museum, *Add. MS.* 28649), which was made in 1693 by Prince (see *Worthies of Devon*, 638) from a copy made in 1616 for Sir William Pole, which in turn was derived from a copy made from the original in 1376 by Henry de Burton. *Burton's List* was edited by Reichel in 1896 (*Transactions Devon Association*, xxviii, 483), and in 1899 T. W. Whale (*Transactions Devon Association*, xxxi, 376) edited the original document from the archives of the Public Record office.

²*Historical Peerage*, ed. 1741, s.v. Hunsdon.

³The antiquarian and genealogical authority of Sir William Pole (1561-1635) of Shute in Devon is still respected by all students of Devon history. He made extensive collections of old deeds and muniments, as well as extracts from the ancient exchequer records, in a MS. book, which Prince describes "as big as a Church Bible," much, but by no means all, of which was edited and printed in 1791 as *Collections towards a Description of the County of Devon*. The printed notes on "Panston and Cary" (at p. 352) do not include the statement quoted by Collins.



married "Alice, Da. of Sr. Wm. Beaumonte, Kt." There were Beaumonts holding several manors in Devon at the inquest of 1303, and the family is authenticated for many generations afterwards.¹ It may be that Sir William Pole had before him evidence that the wife of a William de Cary was an heiress of Ralph and Walter de Panneston, and that he was dead in 1303,² for there is another scrap of record evidence which is an approximate confirmation of the substance of these statements, and of the traditional pedigree as well, in an entry in the episcopal register at Exeter showing that in 1307 a John de Cary was administering upon the estate of a William de Cary.³ We may then take this William to have been flesh and blood, but as he does not appear in his own person at the inquest of 1303 it seems not impossible that we have here come upon the true origin of Cary of Cary: that the name was derived from the tenure of the Tavistock Cary after a marriage with

¹ The Beaumonts persisted at Shirwell and Gittisham until 1599, when their heiress married Muttlebury. Pole, *Collections*, 166, 407; and Lysons, *Devon*, clxi.

² Perhaps it is significant, though more likely mere coincidence, that at the inquest 31 Edw. I the Totton Cary had recently passed from the tenure of a William to a John Pipard.

³ *W. M. Cary Notes* (MS. *penes me*) from the original register of Bishop Stapeldon, 1307-1326. Canon Hingeston-Randolph's scholarly volumes entitled *Episcopal Registers of the Diocese of Exeter*, 9 vols., 1886, etc., are chiefly indexes to, and calendars of, the originals. In their reticence as to dates in making references to private individuals they are tantalizing to the genealogical student who has not access to the original registers at Exeter.



a daughter of Panston. In any event the implication attributed to Pole that this William held in right of his wife Panston with Cary carries with it a human and intimate picture of the early Carys to which we turn with pleasure, for it is recorded¹ that the lord of the manor of Panston had a feudal right to pay an annual visit of a week to the parson of the neighboring parish of Sydenham for hunting, and to have entertainment for himself, his wife, a man-servant, a maid-servant, five couples of hounds, and a white greyhound.

The dates enable us also to place our third generation as contemporary with that famous Somersetshire schoolman Friar Roger Bacon and as having witnessed the return of King Edward I from the Crusades. This William Cary certainly lived to hear, if he did not actually experience, the exploits of the "Scots who hae wi' Wallace bled," but he died too soon to see Wallace's head on London Bridge.

Not only have we a date for the third generation in Devon, but other contemporaries of the name and possibly of the same family have left definite records. Thus in 1274 one Roger de Cary appears in the *Testa de Nevill* as one of the inquisitors into the state of the Somersetshire hundred of Somerton, and in 1306 a cer-

¹ Risdon, *Chorographical Description*, 217.

tain Odo Cary sat in Parliament for the Cornish borough of Tregony.¹ A few years later, and doubtless of the same generation, the first Cary is noted in Bristol, for Lawrence de Cary was seneschal of that borough in 1313.²

IV. JOHN DE CARY, sometimes styled Sir William de Kari, is recorded to have married a daughter of the baronial family of Archdeacon.³ Reckoning from the known dates of the next generation and assuming that it was he who administered his father's estate in 1307, we may conjecture that this John was one of the early victims of the Black Death which entered England in 1348 through the seaport towns of Dorsetshire.

In this generation we get other glimpses of the name in public records. In 1329 Edward III commissions one Thomas Cary, who we may assume was a younger son of the fourth generation, to investigate a report of the reputed success of two alchemists in transmuting base metals

¹ *Return of Members of Parliament*, 1879.

² Ricart's *Kalendar*, see *post*, p. 497.

³ The Visitation of 1620 says "Philippa, dau. of Sir Warren Archdeacon," but there is evidence that she married a Courtenay. Burke gives this Cary's wife as a daughter of Sir John Archdeacon. (So also Vivian, 150.) This family, whose name is spelled also Ercedekne, is recorded (Lysons, *Devon*, clxi) to have become extinct five descents after 27 Hen. III, when their heiress married a Courtenay. Out of the confusion one thing only seems certain, that the earliest blood relation of the Carys with the Courtenays should be traced to an Archdeacon marriage.

into silver,¹ and later, in 1338, the same king grants to Thomas de Cary "*suo valecto*" the lands in Wilts and Dorset which were of John Deverill, a rebel.² He was thus the first of the name who made his way to court, there to seek his fortune on the slippery ways which afterwards proved as perilous as they were advantageous to the family. Again, there flourished at Oxford in 1325 a Robert Cary who was re-

¹ Rymer, *Fœdera* (Caley ed., 1826), ii, part 2, p. 762. The summary methods of the middle ages to secure a new invention for the use of the Crown are well illustrated by this commission, which is of enough curious interest to translate in full:

"*The King* to the Sheriffs and all other his officers, ministers, and loyal subjects, as well within as without the liberties [*i.e.*, the feudal *honours*, within which the ordinary jurisdiction of the sheriff did not extend], to whom these presents may come, Greeting:

"*Know ye* that it has come to our ears that John le Rous and Master William de Dalby have discovered, by the art of alchemy, a method of making silver metal, and by this means have made and are now making such metal, and it appearing that by their said art they can do much profit to us and to our Kingdom if, indeed, the said reports are true: In order that we may be further advised in the premises, we have assigned our trusty Thomas Cary to seek out the said John and William wherever they may be found, whether within or without the liberties, and to us to bring them with all their instruments and appurtenances of whatsoever kind touching their said art. If willingly they shall come, then they shall be conducted safely and honourably, but if they are not so willing, then he, the said Thomas Cary, shall take them and bring them to us wherever we may be. To that end we require you, all and singular, in our behalf, to give all manner of aid and assistance to the said Thomas as he may require of you.

"*Witness* the King at Eltham the 4th day of May in the third year of his reign.

By the King himself."

² *Cal. Rot. Pat.*, 132. It is probable that it was either this Thomas or his son who acquired lands also at Elm in Somerset and was sheriff of that shire from 1344 to 1351, but they did not there endure. (See Collinson, *Somerset*, xxxiv; ii, 206.)



puted an eminent teacher and philosopher of the generation before Wycliffe and left some learned writings which probably no one has read for five hundred years.¹ After the manner of schoolmen he converted his name into *Cervinus*: as he was a cleric and so a bachelor, he could afford to be known by such a title. In 1331 a John de Cary of Briggewater (in Somerset) appears in the de Banco pleas, and in 1351 a Richard Carre (Dr. Oliver interprets his name as Cary) was in his old age prior of Barnstaple.² If any or all of them were of the family with which we are concerned, as is not improbable, for they all bore the names common in that family, they too must have been of our traditional fourth generation.

Out of the welter of confusion created by these traditions, which are too indefinite to be convincing when unsupported by corroborative record evidence, we must be content to visualize the earliest Carys generally in relation to the Devon of the times and the probabilities of their situation. It is apparent that they were of Norman extraction and early began their persistent practice of bettering their position by prudent

¹ The best known was *Quæstiones in libros Posteriorum Aristotelis*. For a notice of him by John Leland see Bishop Tanner's *Bibliotheca Britannico-Hibernica*, 1748, 154. This Robert must, of course, be distinguished from the Master Robert Cary who was in 1451 principal of St. Edmund's Hall in School Street, Oxford. (*Monumenta Academica*, Rolls Series, 1862, ii, 621.)

² Oliver, *Monasticon Exoniensis*, 1846.

marriages. They may have sprung from some landholding house, like Pipard, but they were not themselves large landholders until the time of Edward III. Whoever was the founder, arguing from the characteristics of his descendants we may conjecture that he was the seneschal¹ or man of business of some local baronial house, Redvers, Braose, Cantiloupe, or Courtenay, who prospered and took a surname,² either from the Domesday manor of Kari by reason of his birth there, or from his tenure of the Tavistock Cary, in possession of which we find his descendants long established.

¹ For the duties and opportunities of this important office in the manorial system of the Angevin times, see the tract entitled *Senescalicia* in the Royal Historical Society's edition of *Walter of Henley*, 1890.

² The family called themselves "de Cary" for several generations, not dropping the particle until the end of the fourteenth century. Cary of Devon seems to have assumed his English surname as early as most. Cf. Gibbon, chap. lxi: "The proudest families are content to lose, in the darkness of the middle ages, the tree of their pedigree, which, however deep and lofty, must ultimately rise from a plebeian root: and their historians must descend ten centuries below the Christian era before they can ascertain any lineal succession by the evidence of surnames, of arms, and of authentic records."

When men emerged from this family anonymity of the dark ages many of them took the names of the lands on which they dwelt. So we find families of widely scattered origins, and doubtless of different races as well, who designate themselves by variants of the Gaelic *caer*, e.g., Carr and Ker, as well as Cary. Thus again the Carews derive their surname and the title of baron from the castle of Carew or *Caer Yw*, in Pembrokeshire, Wales, which came to them by marriage with a Welsh princess, *temp.* Henry I.

The numerous Scotch Border family of Ker (later sometimes written Car and Carr), whatever was their race, found, rather than impressed, their name on the map of Roxburghshire (*Her. & Gen.*, vii, 116).



These crepuscular Carys were then part of the minor gentry of Devon, probably from the times of the Angevin kings. In attempting to appreciate the society in which they lived it will be expedient to control not only youthful impressions derived from the fascinating pages of *The Betrothed* and *Ivanhoe*, but the generalizations of much serious history as well. Life is rarely as categorical as a national historian necessarily makes it out to be, and it is evident that life in England at the beginning of the thirteenth century was no more all sieges of castles than the population was made up of mailed knights inflamed by lovely Jewish maidens. In Devon certainly we know that then men were not even actuated by a stern insistence on a constitutional form of government. The turbulent barons who extorted the Great Charter at Runnymede were of the north of England; their fellows in Devon, self-respecting in the maintenance of the sanctity of their feudal oaths, were as loyal supporters of King John as they had been consistently, through good and evil fortune, of all of his family since John's grandmother, the Empress Maud, had asserted their claim to the throne in the days of the anarchy, *temp.* Stephen. Their chief indignation at John would be by reason of his soiling of the inheritance of the local magnate Redvers, Earl of Devon (to whom the Courtenays of Okehampton were soon to

succeed), by entrusting it to a low-born favorite Falkes de Bréauté, but even this might well have been offset by gratitude for John's act in disafforesting the shire.

We may, however, safely think of the earliest Carys as devout children of the Roman mother-church; as having drunk of Walter Map's well of Marlborough,¹ for their French was already tending to become a provincial English larded with homely Celtic words; but they had the Norman characteristics, wit, good manners, strenuousness, superstition, and love of marvelous tales. Their hours of greatest enjoyment were doubtless spent in hawking with such a sporting overlord as Abbot Courtenay of Tavistock, or in sitting on winter evenings about the fire in the abbey hall, in a jovial assemblage of neighbors, when the guest of honor may have been that good Devon man Archbishop Baldwin; then they listened with rapt interest to stories from the *Gesta* of William of Malmesbury, or had their hearts "mooved more then with a Trumpet," at the chanting of a martial ballad by "some blinde Crowder."²

¹ *De Nugis Curialium* (ed. James, in series *Anecdota Oxoniensia*, 1914), p. 246. Speaking of Marlborough, Map says: "ubi fons est quem, si quis, ut aiunt, gustaverit, Gallice barbarizat, unde cum viciose quis illa lingua loquitur dicimus eum loqui Gallicum Merleburge." This was an earlier form of the French of Stratford atte bowe.

² The agreeable side of the Angevin social life may be appreciated in that most modern of medieval books *The Itinerary of*



On the bread-and-butter side of life they belonged to the end of the old manorial system. While Devon has never been first to adopt new things, the time we are considering marks historically the beginning of the transition from local feudalism to the modern English system of cultivation of the land by capitalistic tenant farmers paying the lords rent in money, each one meeting his own problems solely on his own independent judgment. But when a Cary first became lord of a manor he was himself the centre of the agricultural and industrial activity of his little self-contained rural community. He lived at home and was not ever in motion from manor to manor like the contemporary barons, or the modern American millionaire. The laborers, still bound to the soil and supporting him chiefly by predial services, looked to him for initiative and leadership in all their undertakings, for the welfare of all alike depended on the success of their common and mutual effort. He in turn felt a patriarchal responsibility to promote their health and happiness, as he could in the thousand ways which are the small change

Archbishop Baldwin through Wales, by a close kinsman of the Carews, Gerald de Barri (Giraldus Cambrensis). See the edition by W. L. Williams in Everyman's Library, 1909.

For the hospitality of a great abbey at this time see Jocelin de Brakelonde's chronicle of St. Edmundsbury (ed. Rokewood for Camden Society, 1840, translated by T. E. Tomlins, 1843, and since reprinted in the series *The Kings Classics*), which is the basis of Carlyle's well known story of Abbot Samson in *Past and Present*.



of the best relations between self-respecting superiors and inferiors. One who has grown up in the tradition of plantation life in Virginia, where the conditions since, as well as during, slave times are not utterly unlike those of life on the medieval English manor, can perhaps appreciate more readily than the modern Englishman that at its best and probably on the average the manorial system was a kindly system, in which human nature modified those asperities of its constitution which are more evident on paper than doubtless they usually were in daily experience. To support this judgment, here is a lively picture of an imaginary manor of Tubney¹ in Sussex, during the early Plantagenet days, which will serve our purpose:

If we turn to the agricultural districts we shall find that Society in its lower grades is still based upon the feudal tie between lord and vassal; many of the descendants of our old friends, Higg and Pigg, are still paying the same sort of diversified rents and services to the descendants of Roger of Tubney as they paid to Roger the first at the date of Domesday; but all these services are now immutably fixed, and all are annexed not to Higg or to Pigg, but to the pieces of

¹ C. R. L. Fletcher, *An Introductory History of England*, 1904, i, 226. The vivid contemporary essay on estate management called *Le Dite de Hosebondrie*, by Walter de Henley, which justifies much of this description, is readily available in the edition published 1890 by the Royal Historical Society, with an illuminating introduction by W. Cunningham, the author of the standard *Growth of English Industry and Commerce*. It well repays study even by the general reader who would realize rural life in England under the Angevin kings. He will not find a dull page.



land they hold. If Higg has bought the "villein tenement" of John, Higg, though a free man, will have to perform, or get performed, the villein services that are owed by it. If John has thriven so much, that while legally remaining a villein, he has bought a piece of Higg's freehold, he will have to pay for it whatever free services (usually a small rent in money) Higg used to pay. All this is written down upon a strip of parchment called the "Court Roll," which Roger keeps in his strong-box at the Hall. Very likely Roger has "emancipated" three or four of the better of his villeins; these then become free men, and they pay money rent instead of villein services for their land. It certainly pays Roger better, as it must have been exceedingly difficult to get the villeins to perform their proper labour rents. Tubney has been prospering exceedingly since we left it. There are now four families of freeholders, who pay only a small rent in money to this Roger (the eighth of his name since the Conquest). There are twenty-four villein families, and they occupy twice as much arable land altogether as the Domesday tenants occupied, though their individual holdings are no larger; they have broken up the waste land as far as the boundaries of Fyfield and Anglesham (the two neighbouring villages). One of these families still pays three days' labour a week; the others vary between two days, one day, a money-rent, and a rent in corn or hens or eggs or eels. All will have to do something extra at harvest-tide. The tenements of the freeholders have got names, and are giving the names to their owners. John holds the bull-croft, and because he holds it he has to go to the County Court at Lewes whenever it meets; it is a horrid bore for John, but that is the rent that he pays for his holding. If William bought the bull-croft he would have to go instead of John: the duty of going that long journey has got somehow or other attached to the soil of that particular croft on which the village bull is kept, instead of to the flesh and



blood of its owner. Probably the name of that piece of land will stick to John's descendants, and they will be called Bullcraft. David Hazelgrove is so called because his ancestors bought from one of the Rogers the thirty acres of woodland which went by that name. They thinned and planted and tended it well, and set up as village basket-makers; their name has been honoured for centuries in mid-Sussex; long may it be so. Roger the fourth was no sportsman, and he freed his villein, Hobb, on condition that Hobb should continue to supply the Hall with rabbits from the Warren. Hobb's great-grandson is now called Robert Warren. The Church encourages all these enfranchisements and commutations of labour rents for money rents; it is pleasing in the sight of God, and good for Roger's soul as well as for his pocket. The lawyers also encourage them, for enfranchisement is a legal act, and some lawyer will be paid for entering it on the court rolls. Once these services are commuted it will be impossible to change them back again; it will always be impossible to make people pay more or harder services than their last immediate ancestor paid. As the village increases in population and prosperity, Jack the Miller is perhaps, after the squire, the most important and prosperous person in it. True, mill-stones are very expensive, and do not last long; they cannot be bought nearer than Chichester, and it is a fearful job to get them across the soft, heavy tracks over the downs; but wheeled carts must have been continually passing from towns to villages with these necessary articles, and with iron for William Smith to make ploughshares and horse-shoes and rough weapons. The wool and the corn and the hides which Tubney "exports" to Chichester to pay for these could no doubt have been carried on pack-horses. Salt must be imported from somewhere or other, for we salt all our meat for winter consumption—fat as we are, we seldom eat fresh meat. Very likely the salt comes by sea from Chester or Bristol to that rising port,

Shoreham. By sea certainly comes the wine that Roger drinks, the fine clothes that Roger wears, the catgut for the bow-strings of the village (the staves are made of yew wood from Kingly Vale, by John Bowyer), the finely tempered steel weapons and armour which Roger bears when he goes to serve King Edward. Roger breeds his own horses, and occasionally imports a sire from Flanders or Normandy.

Whenever and however they acquired their *pied à terre*, the Carys held dominion of some of the bottom land in the valley of Carywater for at least three centuries, or until the time of Elizabeth; but with the opening of their authentic history in the traditional fifth generation, to which we are now to come, they had already ceased to make their chief seat at their *stammhaus*. And so it is that they left there no enduring monuments.¹ The immutable valley still

¹ There is, indeed, a local tradition that the east end of the south aisle of the church of St. Giles in the Heath, where the timbers of the wagon-shaped roof are more elaborately carved than in other parts of the aisle, was originally a chapel of the Carys, and here in the floor a worn stone shows marks of the chisel, which a generation ago could still be made out as parts of an inscription to the memory of Thomas Cary, the thirteenth and last Cary of Cary. The parish register commences in 1653 after this Thomas had been dead for eighty years and contains no entry of the name. (See Dymond, *H. & G.*, v, 7, and *post*, p. 168.)

The six-inch Ordnance map gives the modern topography in detail. On a hill above the west bank of Carywater directly east of the church of St. Giles in the Heath, and a few miles northeast of the Cornish town of Launceston, stands a farmhouse with an extensive steading and a fine view southwards over the characteristic hill scenery of Devon. It is known as *Cary Barton*, as it was styled in 1583 in the will of the last Cary of Cary. Nearby is what the map designates "remains of a mansion"—doubtless the site of the *stammhaus*, the "Castle Carye" of the Visitation of 1620. A plantation on the river is called *Carywood*, and across the stream,



retains the name the Celt gave it, but the Norman who assumed it, like the Celtic nomenclator, has long since departed. Where they both were the Earth Song may be heard:

Here is the land,
Shaggy with wood,
With its old valley,
Mound and flood . . .
But the heritors?

They called me theirs.
How am I theirs
If they cannot hold me,
But I hold them?

marking the location of the Domesday *Kari*, are the villages of Towerhill and Downacary. But the atmosphere is altogether that of the modern world. Not only does a railway follow the valley, but there is little to distinguish the present barton from other modern farm buildings of the neighborhood: the oldest store barn alone has an archeological interest in a pent house built up out of carved stones taken from some earlier building, doubtless the nearby "Castle Carye."



CHAPTER FOUR

THE PARLIAMENT MEN

In the last half of the fourteenth century we encounter five Carys, John, William, Robert, John and William again, who are all historical persons, each vouched for by undeniable records; but as they emerge from the mist of tradition which still surrounds their ancestors, they are so confused one with another and as to the generations to which they respectively belong that it is now impossible to assign to each an unquestioned place in the pedigree: but at least they are all real people.

Because of this confusion and because no two of the traditional pedigrees are in agreement, it is permissible to look primarily to the contemporary evidence even if that involves departure from the judgment of the Visitation of 1620. That evidence points to the existence of a Sir John and a William Cary, brothers, of the fifth generation; a Robert, son of Sir John⁵, of the sixth generation; and that the Sir John who became Chief Baron was son of this Robert and,

with a brother William of Clovelly, of the seventh generation.¹

Of the first Sir John, the Visitation of 1620 records² the following traditions:

This Sir John Carye was a Knight of great worth and reverence & had lands in 3 sondrie sheires, Devon, Dorset & Somerset.³ He dwelled at sundry times in every of them, at Hoke in Dorset, at Castle Carye in Devon. He was a great benefactor to the Abbey of Abbottesbery in Dorsetsh., which he endowed with the great Poole, called Abbottesbery Poole,⁴ & with sundry other landes and revenues & after his death was buried in the same Abbey.

From this pleasant picture we may fairly deduce that there had been a substantial and steady improvement in the family fortunes during the two preceding generations, or since our glimpse

¹ The net effect upon the Visitation pedigree of 1620 of this redistribution of rôles is to eliminate the fifth generation shown in that pedigree, to move up its sixth generation to fifth place, and to introduce a new sixth generation in the person of Robert de Cary, who is ignored by the Visitation of 1620. This leaves the Chief Baron in the seventh generation as stated in the Visitation. The evidence for this rearrangement will appear.

² *Publications of the Harleian Society*, vi, 47.

³ There being no evidence as to how he acquired lands in Somerset, we are led to conjecture that it might have been by inheritance from the Sir Thomas de Cary who, as we have seen, was a successful courtier and sheriff of Somerset until 1351, thus overlapping with our fifth generation.

⁴ The choice of the fishpond as his benefaction to Abbotsbury seems to show that Sir John could sympathize with the monks on Friday and that at home

“Withouten bake mete never was his hous,
Of fish and flesh and that so plenteous
It snowed in his hous of mete and drinke,
Ful many a fat partich hadde he in mewen
And many a breme and many a luce in stewe.”



of William³, and that they were now established in a solid economic position, comfortable to themselves and important in relation to their neighbors. General as the evidences for this may be, they find confirmation in the national prosperity of England during that halcyon time of the economists from the accession of Edward I until the Black Death. The Carys had grown largely by reason of their marriages, but partly by the improvement of the status of the minor gentry as a class.

The Visitation pedigree of 1620 records also that this Sir John married twice: first, Agnes, daughter of the Lord Stafford, sans issue; and second, Jane or Joan, daughter and coheir of Sir Guy de Brian.

This description involves obvious confusion. The attribution of the Stafford marriage is apparently a seventeenth-century attempt to explain how Sir John⁵ is found in possession of the manor of Hooke in Dorset. The Lord Stafford referred to must have been that Edmund de Stafford who was summoned to Parliament as a baron by Edward I in 1299, the ancestor of the earls of Stafford and dukes of Buckingham of that ilk; but the Staffords who were seated in Dorset were the cadet branch which was already extinct when the Visitation pedigree was compiled in 1620. In the fifteenth century they had produced that Humphrey Stafford who, sup-



porting the Yorkist cause, was for a moment Baron Stafford of Southwick, and on the attainder of the Courtenays, Earl of Devon. An earlier Sir Humphrey Stafford of this family had married *circa* 1360 the widow, and his son the heiress, of Maltravers of Hooke. These facts might support the Cary tradition as to Hooke but the records seem to indicate that at the time of our Parliament man Hooke was still in the tenure of the ancient family of Cifrewast, whose heiress brought the property to Maltravers.¹

In the reference to the Brians also the authority of the Visitation of 1620 fails, for it proceeds to make out that this Sir John Cary was father of the Chief Baron by his second marriage. There are extant records, much more nearly contemporary, which prove that the father of the Chief Baron was Robert de Cary, not John. Thus the inquisition taken in 1397 on behalf of the Chief Baron's son and heir² states definitely that the father of the Chief Baron was Robert de Cary, armiger. By that name he appears also as a witness to the marriage settlement of the Chief Baron in 1357.³ Colonel Vivian recognized but did not attempt to reconcile this impeachment of the Visitation of 1620. On his transcript he notes (p. 150) that in the

¹ Hutchins, *Dorset*, ii, 179.

² *Inq. p.m.*, 20 Rich. II, No. 127.

³ *Archæological Journal*, 1856, xiii, 414.

inquisition 20 Rich. II, Sir John⁵ was "*called* Robert de Cary, armiger."

It seems clear, however, that the Chief Baron had an infusion of Brian blood, as his descendants (*e.g.*, Sir George Cary, of Cockington) quartered the Brian arms, but it is not clear whether this was derived from the marriage of Sir John⁵ or of the Chief Baron's father, of whose wife we have no record, except her name Johanna or Joan. This name is, however, consistent with the tradition that the mother of the Chief Baron was a Brian, and it is then possible that the attribution of two wives to Sir John⁵ is a confusion and that the Brian wife belonged to Robert⁶.

Sir Guy de Brian, of Torbrian, was a doughty warrior, standard-bearer of Edward III and one of the original Knights of the Garter. He was summoned to Parliament as a baron in 1350. According to Sir William Pole,¹ he married twice: (1) Anne, daughter and heiress of William Holway, of Holway, by whom he had Anne, who married Sir John Cary; and (2) Margaret, daughter of William Montacute, Earl of Sarum, by whom he had a son and heir. Burke² rehearses the military and political services of this medieval baron, but ignores the first marriage, stating that he had sons by his Montacute marriage who died

¹ *Collections*, 274.

² *Extinct Peerages*, 86.



v. p., and that when the old baron himself died, 1390, his coheirresses were his *granddaughters*, one of whom married a Devereux and the other a Lovel. This leaves the Cary record in no little confusion. The authorities agree, however, that Sir Guy de Brian's sister married Hugh Courtenay, called *le Fitz*, eldest son of the second Earl of Devon of the creation of 1338, and brother of Sir Philip Courtenay of Powderham, whose daughter married Robert Cary⁸. Pole says (p. 274): "Tor Brian was the long continued inheritance of Guy de Brian, whose family were always called Guy and continued in the name of Guy from the beginning of the reign of King Henry III into King Richard II's time, ye latter end of his reign."¹

Lacking evidence for positive identification, but arguing from the probabilities as indicated by the dates of the available records, we assign to this Sir John Cary⁵ a public career as follows:

His reputation for pious benefactions preserved in the Visitation of 1620 seems to identify him as the John Cary to whom, on July 2, 1370, the Bishop of Exeter granted a license to maintain oratories in two of his Devon manors,² and so we bring him within the limits of the Parlia-

¹ The memory of this eminent early Devon family is kept alive by their church of Torbrian, which still stands in a wooded glen some miles inland from Tor Bay.

² *Register of Bishop Thomas de Brantyngham*, 1370-94, ed. Hingeston-Randolph, 1901.

mentary service the records assign to his name.¹ Thus we may assume that it was he who in 1357 sat in the House of Commons as a burgess for Totnes, and from 1362 to 1368 with his brother² William Cary as knights of the shire for all Devon.

¹ For the dates see *Return of Members of Parliament*, 1879. The Devon antiquaries have generally attributed the Parliament service of Sir John Cary, *temp.* Edward III, to the Chief Baron, but the dates seem to make it out too early for him. Lysons (*Magna Britannia*, vi, part 1, 138) was the first to point out the error, though he perpetuated the tradition about the Chief Baron's father: "Sir John Cary has been supposed by Collins, Prince and others to have been the same person who was afterwards one of the Barons of the Exchequer; but it appears evident from records that John Cary, the Chief Baron of the Exchequer, was not Knighted till 1387 & it is most probable that he was the son of Sir John, Knight of the Shire." Mr. Dymond (*H. & G.*, v, 28) makes the same point, but the confusion still persists. See Alexander, *Devon County Members, Transactions* Devon Association, 1913, xlv, 251.

² *William Cary, the Parliament man, and William Cary of Clovelly.* Another puzzling confusion arises out of the apparent contradiction between the tradition of the Visitation of 1620 and the probabilities arising out of the available dates, as to William Cary, *temp.* Edward III. The Visitation pedigree of 1620 shows him as having married a daughter of Richard Bosun, but makes him the grandfather of the Chief Baron. Hanecy's pedigree in the Visitation of Devon 1564 shows two Sir Williams, one the grandfather of the Chief Baron, who is said to have married a daughter of Archdeacon (and thus belongs to the fourth rather than the fifth generation), and the other a brother of the Chief Baron. The modern genealogists have met the problem presented by the evidence in different ways. Because there appears to have been only one Richard Bosun, of the ancient and long extinct Devon family of Bosun of Bosun's Hoile, viz., the one who acquired Clovelly from the Stauntons after 1362 and whose daughter Thomasine married William Cary, as proved by surviving real estate records; and because the Chief Baron undoubtedly had a brother William, Mr. Dymond (*H. & G.*, vi, 28), acting on Hanecy's suggestion, simply transfers the Sir William from his place in the 1620 pedigree as grandfather of the Chief Baron to a place as his brother, noting Mr. Robinson's query as to his right to do so. Colonel

Prince¹ gives transcripts of the certificates of one of their elections, which he found in Sir William Pole's MS.:

Johannes & Gulielmus Cary, Milites electi per totam Com. Devon, essendi pro eadem Com. ad Parliament Domini Regis apud Westmonast 1^o Die Maii (37 Edw. III),

and of their receipt for their expenses in the performance of this duty. Now, when members

Vivian (*Visitations of Devon*, 150) prudently preserves both of Hanecy's Sir Williams, but without comment.

In this difference of authority we venture to suggest that the problem can perhaps be solved with a minimum of violence to the Visitation pedigrees by accepting the existence of two Williams, on Hanecy's authority, but reassigning the elder to a place in the pedigree which will accord with the known dates and the evidence of the Tor Abbey muniments. On this principle we might give the Chief Baron a great-uncle and a brother, each a William, and identify them as follows:

(1) *William*⁵ would be the colleague of his brother Sir John⁵ in Parliament 1357-1368; Steward in 1370 of the bishop's demesne lands and manors in Devon (*Register of Bishop Thomas de Brantyngham*, 1370-94, ed. Hingeston-Randolph, 1901); one of the captains of the Devonshire Coast in 1373 (Rymer, *Fædera*, ed. Caley, 1816-30, iii, part 2, 976); the William named in the fine with respect to Cockington, 1374 (*H. & G.*, vi, 14); guardian in 1378 of Ralph de Arundell (*Rot. Parl.*, iii, 52); and the Sir William Cary who, according to Pole (*Collections*, 87), was "learned in the law."

(2) *William*⁷ would be the brother of the Chief Baron named in *Inq. p.m.*, 20 Rich. II, No. 127; the William Cary who married Thomasine Bosun, and, thereby acquiring Clovelly, on March 8th 11 Rich. II (1388) obtained from the crown a license to convert the parochial church at Clovelly into a collegiate one to be served by a warden and six chaplains (*Cal. Rot. Pat.*, 215, and Dugdale, *Mon. Anglic.*, iv, 1358); and finally the "Will Cary" who in 1396 made a presentation to the rectory of Clovelly and must have died soon thereafter, for in May, 1411, "Thomasia, relict of William Cary," makes the next presentation. (*Register of Bishop Edmund Stafford*, 1395-1419, ed. Hingeston-Randolph, 1886.)

¹*Worthies of Devon*, 176.



of Parliament are once more to be compensated for their services, despite dire predictions of the ruin of the British constitution, this last fourteenth-century document has a new interest and justifies quotation :

Noverites per presentes: nos Johannem de Cary & Willielmum de Cary, Milites, electos per tot' Com' Devon' &c., recipisse & habuisse de Thom de Asseton & Rich. de Mervy, Collectoribus decimarum et quindecimarum 21 libras, pro nostris assensu & consensu totius comitatus prædict; de quibus quidem 21 1 fatemur nos esse plenarie solutos per Præ-sentes.

Dat' Exon. anno. regis Edw. 3. 37.

The rate of pay of a knight of the shire at this time was 4 shillings per diem, so that £21 represented 105 days' service, or say 52 days apiece. As the Parliament of 1363 sat only from October 6 to November 3, it is evident that the pay covered "travel time" to and from Westminster.

When in 1357 these two Devon gentlemen first went up¹ to London for the sessions of Parliament which lasted from April 10 to May 16 of

¹ While Cary was perhaps never of as much importance in the House of Commons as in the time of Edward III, unless it might be in the early sessions of the Long Parliament, the name has been frequently represented in the roster of that body. *The Return of M. P.'s* published in 1879 gives the names of seventy-five Carys who have sat in the House of Commons between 1306, when Odo Cary represented Tregony, and 1780, when Lucius Ferdinand Cary sat for Bridport, Dorset. There is an interesting parallel to this family characteristic in the membership of Carys in the Virginia Assembly.



that year, they had the privilege of witnessing a spectacle which warmed with pride the hearts of all Englishmen. On May 24, 1357, the Black Prince made his formal entry into London with his royal prisoner, taken at Poitiers—John, king of France. The scene lives again in Froissart's pictured pages.¹ The prince had landed with John at Sandwich and proceeded by easy journeys to London. His father had given the necessary directions for his entry into the capital under the pretense of doing honor to the king of France: an unwelcome honor, which served to remind that monarch of his captivity and to make him the principal ornament in the triumph of his conqueror. Arches were thrown across the streets, tapestry, plate, and arms were suspended from the windows, and the road was lined with crowds of spectators. The lord mayor at the head of more than a thousand citizens, divided into companies, distinguished by their respective devices and colors, proceeded to meet the prince and his attendants in Southwark. The king of France was mounted on a cream-colored charger with magnificent trappings. The young Edward rode on a small pony without anything to distinguish him; but he did not elude the eager eyes of the spectators, who hailed with loud acclamation the victor of Poitiers. Some hours elapsed before the cavalcade could

¹ Froissart, *Chroniques*, ch. 170.



reach Westminster Hall, where the king was seated on his throne surrounded by his prelates and barons. When John entered, he rose, descended to embrace him and led him to partake of a splendid banquet.¹

Against this background of the middle ages the decade during which these two Carys sat in Parliament was in many respects startlingly modern. It marked the beginning of the institution we know to-day, for then first the knights of the shire and the burgesses sat together as the Commons, separating from the Lords into a second house. "This may be taken as the turning-point in the political history of England," says a modern scholar.² "If all the landowners of the country had become united as an order of nobles, they might have proved too strong for the development of national liberties, while the union of the country gentlemen with the burgesses founded an estate of the realm which was destined to prevail over all other powers."

Actuated by the demands of labor, high prices, and the acute social unrest which followed the Black Death, the very legislation also has a familiar ring: it was shaped so entirely in the interest of the consumer that our Parliament men of the fourteenth century might have found much in common with the motives of their de-

¹ Lingard, *History of England*, iv, ch. 2.

² Chisholm, *Encycl. Brit.*, 11th ed., xx, 840.



scendants who are also their successors at Westminster and at Washington. Their ideal was, in the illuminating antithesis of Bacon, to secure for their country "plenty": they had not learned that other and it may be equally high ideal (upon which the much abused navigation laws and the mercantile system were to develop) that it is the duty of the legislator to promote the "power" of his country, cost what it may in immediate individual convenience.¹ They adopted the principle of free trade, encouraging foreign merchants to the end that they might import cheap goods; they fixed commodity and labor prices by a rule of thumb in defiance of the law of supply and demand; and they sought to limit extravagance and promote well-being by sumptuary laws. Not the least "modern" thing about them was that their plans failed; but it must be said of them, as it cannot always be said of their present-day disciples, that they were eminently practical and usually fair: cer-

¹ Bacon said (*Works*, ed. Spedding, Boston, 1860, xi, 145) of Henry VII: "The King also (having care to make his realm potent as well by sea as by land) for the better maintenance of the navy ordained, That wines and woad from the parts of Gascoign and Languedoc should not be brought but in English bottoms, *bowing the ancient policy of this estate from consideration of plenty to consideration of power*: for that almost all the ancient statutes invite (by all means) merchant strangers to bring all sorts of Commodities: having for end cheapness and not looking to the point of state concerning the naval power." Henry VII evidently held with President Grover Cleveland the now outworn and discarded doctrine: "It is not the function of the government to support the people, but of the people to support the government."



tainly they indulged in no moral cant about uplifting humanity.

Bishop Stubbs¹ sums up the work in which these Carys were thus engaged:

The legislation of this period of the reign is both curious and important. The parliament endeavored by sumptuary laws prescribing the minutiae of diet and dress to prevent the further impoverishment of the country already desolated by the plague and exhausted by the war: attempts were made to bring the statute of labourers into operation by applying the fines which were to be raised under it to the relief of the charges on the commons. The use of the English language in the courts of law was ordered in 1362. . . . In the same parliament of 1362 a great boon long demanded was at last obtained: it was enacted that from henceforth no subsidy should be set on wool without the assent of parliament. . . . The same parliament struck a blow at the custom of purveyance. . . . In 1365 was passed a new statute of *præmunire* definitely aimed against the jurisdiction of the papal court, and in the following year the parliament, the bishops, lords and commons unanimously repudiated the burden of papal superiority which had been undertaken by John, and refused to pay the tribute of 1000 marks which had been long in arrear and now ceased altogether.

We have one final date of this time which falls within the possibilities of our tentative identification of this generation. The episcopal registry of the diocese of Exeter shows that in

¹ *Const. Hist.*, ii, 450.

1372 there was an inquisition on behalf of the church upon the estate of a John Cary,¹ which may be evidence that the traditional Sir John Cary⁵, the benefactor of the church, died before that year. Foss, indeed, states definitely that the John Cary whom he takes to be the father of the Chief Baron died in 1371.²

Viewed across the ages this John Cary, the Parliament man, is an interesting type of the fourteenth-century country gentleman. Nearly coeval with Edward III, he was a pious churchman, an active magistrate, and busy in all county affairs. He married well and seems to have prospered, although he lived in a time of abnormally rising prices, of disturbing social unrest, and of attempts at remedy by legislation as violent as they were futile, which, as under similar conditions in the twentieth century, bore hardest upon those who had already achieved their places in the world.³ One likes to think of him

¹ *Register of Bishop Thomas de Brantyngham, 1370-94*, ed. Hingeston-Randolph, 1901. See also *Inq. p.m.*, 16 Rich. II, Nos. 185 and 190.

² *Judges of England*, 157. Except in the traditional neglect of Robert de Cary, we have found Foss safe on his facts in the number of instances we have been able to check him by the source records which have been printed since his day.

³ The social history of England from the Black Death through the revolutionary movement which culminated in Wat Tyler's rebellion is vitally comforting in its parallel to similar conditions to-day following a world war, for it holds out the hope that we are now on the turn of another historical cycle; that there is no new thing under the sun.



as having a family resemblance in face and disposition to Chaucer's franklin, whose tongue he also spoke :

Whit was his heed as is a dayesye,
Of his complexioun he was sangwyn.
Wel loved he by the morwe a sope in wyn;
To lyven in delit was ever his wone,
For he was Epicurus owene sone.

PLATE I
CARY OF CARY

I ADAM DE CARY makes his first appearance in the traditional Visitation pedigree of 1620. The Herald's College pedigree of 1701 asserts his *descent* as 1198. The Devon Feet of Fines show a Simon de Cary holding Becland at that date

II JOHN DE CARY No evidence for him appears earlier than the tradition in 1620, but a Richard de Cary held Tullese in Devon in 1243

III WILLIAM DE CARY is reputed to have held Fanson and Cary before 1303. A Walter de Cary certainly held West Poleworthy at the inquisition of that year

IV JOHN DE CARY One of this name administered upon the estate of a William de Cary in 1307

? LAWRENCE DE CARY was seneschal of Bristol in 1313
See *Plate VII*

? THOMAS DE CARY was a servant of Edward III in 1329

V SIR JOHN DE CARY, M.P. ("the Parliament men" temp. Edward III)

VI ROBERT DE CARY appears in *inq. p.m.* and *de donis p.m.* as father of the Chief Baron

VII SIR JOHN DE CARY *ob.* 1395. of Cockington, Cary, etc., Chief Baron of the Exchequer

WILLIAM *o.s.p.* post 1396 of Clovelly

THOMAS *ob.* ante 1392 prebendary of Exeter

VIII ROBERT *ob.* post 1428 of Cockington, Clovelly, Cary, etc., M.P. for Devon 1407-1425
The Joust at Smithfield

JOHN (or James) reputed at Visitation of 1620 to have been invested Bishop of Exeter 1419, and by Fuller to have died before being enthroned

? WILLIAM appears in *inq. p.m.* on burgess of Bristol, will 1395, probable ancestor of the Bristol Carys, who were in 1699 acknowledged by tradition to have sprung from the Devon Carys. He might have been one of the unnamed "numerous issue" attributed to the Chief Baron by Devon tradition.
See *Plate VII*

LX PHILIP *ob.* 1437 of Cockington, Clovelly, Ladford, Cary, etc., M.P. for Devon 1433

X SIR WILLIAM 1437-1471 of Cockington, Clovelly, Ladford, Cary, etc., *the Liegeman of the Red Rose*

XI ROBERT 1457-1540 of Clovelly, Cockington, Ladford, Cary, etc., *"the Compostela pilgrim"*

THOMAS 1460-1548? of Chilton Foliot *a quo* Fakland and Hunsdon.
See *Plates V and VI*

XII JOHN 1502-post 1550 of Kegbear and Cary

THOMAS 1503?-1567 of Cockington
See *Plate III*

WILLIAM 1566?-1550 of Ladford, whose line was extinct with his sons Robert and William

ROBERT 1513-1586 of Clovelly, M.P.
See *Plate III*

XIII ROBERT *ob.* ante 1610 of Kegbear

THOMAS *ob.* 1583 of Cary and Heavitree

XIV LAUNCELOT *o.s.p.* 1612 of Kegbear

HENRY *o.s.p.* 1626 of Launceston,
the last of the senior line



CHAPTER FIVE

THE CHIEF BARON OF THE EXCHEQUER

The Visitation pedigrees ignore Robert de Cary⁶, but the scanty record of him which remains suffices to establish his existence as the father of Sir John Cary⁷, the unfortunate Chief Baron of the Exchequer, *temp.* Richard II, and so, we may assume, he was the son and heir of Sir John Cary⁵, the fortunate Parliament man, *temp.* Edward III.

Robert de Cary was certainly living at the time of, and present at, the Chief Baron's marriage in 1357, and, as certainly, he was at some time seized of the manor of Cary, and entailed it, after the death of his wife Johanna, upon his three sons, John, William, and Thomas.¹ As the tradition preserved in the Visitation of 1620 records that Sir John Cary⁵ owned and sometimes

¹ *Inq. p.m.*, 20 Rich. II, No. 127. The fact of this entail with the names of the feoffees and the subsequent devolution of the title of the manor of Cary through the Chief Baron and his son Robert to and including the Compostela pilgrim, is neatly confirmed by the record of a litigation in the Court of Common Pleas *temp.* Henry VII. See *Placita de Banco* cited in *The Genealogist*, 1907, xxiv, 106.



resided at "Castle Carye in Devon," it follows that Robert de Cary may have been his son. Foss¹ says, without citing his authority, that the father of the Chief Baron was bailiff of the royal forest of Selwood: doubtless his chief interests were thus in his father's Dorsetshire lands, which may explain not only the slight record he left in Devon but his willingness to part with Cary to establish his eldest son. We assume, finally, upon such evidence as we have for the earlier years of the Chief Baron's career, that his father must have died soon after the Parliament man.

In the seventh generation at last we see the Carys, historically, in the round. There are three brothers: of these, one is the most conspicuous name in the annals of the Devon family; another, the first squire of the name at Clovelly; the youngest, a quiet country parson.²

SIR JOHN CARY, of Cockington (1337?—

¹ *Judges of England*, 157.

² *The Chief Baron's brothers*. The *Inq. p.m.*, 20 Rich. II, No. 127, recites the terms of the entail of the manor of Cary by Robert de Cary upon his sons: it was limited first to the Chief Baron and the heirs of his body, then to his brother William, and finally to his brother Thomas. For William Cary of Clovelly see *ante*, p. 52. The youngest brother, Master Thomas Cary, as he is called, was a parson whose serene life, in pleasant contrast with that of his ambitious eldest brother, is told in full detail in the episcopal register at Exeter (*Register of Bishop Thomas de Brantyngham*, 1370-94, ed. Hingeston-Randolph, 1901-06) under the following dates:

1370, March 30, ordained subdeacon.

" April 13, ordained deacon.

1395), has one thing in common with all his ancestors: there is no recorded date of his birth. As a conjecture which is tenable in respect of the known dates and has the advantage of being memorable, we may place this event in 1337, with the opening of the Hundred Years' War, in which he was to play a modest but useful part. He must have gone up to London to study law, but he never practised in the courts at Westminster, or at least does not appear in the year-books.¹ The first recorded date for him is 1357, when at Michaelmas he married his cousin² Margaret, daughter of Robert de Holway, a step which served to consolidate family estates. The indenture in evidence of the marriage settle-

1370, June 8, ordained priest.

" Oct. 29, instituted to rectory of Ashwater, a parish lying north of the manor of Cary (*cf.* Risdon).

1373 had license for non-residence for a year—"contemplacione John's Cary," *i.e.*, his brother.

1382 resigns the rectory of Ashwater and is instituted to that of Kirkhampton.

1385, March 19, Canon of Crediton and prebendary of Carswille.

1392, April 23, (died *ante*) at which time he was prebendary of Exeter Cathedral.

He appears also with the Chief Baron as a party to various conveyances in 1372, 1373, 1375 and 1376, among the Tor Abbey muniments; finally in 1380 he became himself seized of an estate in Westmonaton in the manor of Moremalherbe.

¹ Foss, *Judges of England*, 157.

² His mother (or grandmother) was a daughter of Brian of Torbrian, and her mother was heiress of Holway of Holway. (See Prince, *Worthies of Devon*.)

ment, dated in August, 1357,¹ in contemplation of the marriage some weeks later, still survives among the Tor Abbey muniments after more than five hundred and fifty years.²

¹ The date is given as 1376 by Mr. Dymond (*H. & G.*, vi, 4, 9), but appears plainly as 30 Edw. III in the transcript of the marriage settlement by Dr. Oliver in the *Archæological Journal*. The confusion is perhaps due to the fact that the son of this marriage, Robert, who carried on the family tradition can hardly have been born before 1377, but this is not insuperable.

² The collection of Cary family papers known as the *Tor Abbey Muniments* is notable and has long interested the antiquarians. An extended notice of these ancient parchments was published in the *Archæological Journal*, 1856, xiii, 414. Mr. Dymond has also calendared many of them in the *Herald and Genealogist*, vi and viii. As the earliest human document for the family now extant we include a full transcript of the Chief Baron's marriage settlement, as translated and calendared in the *Archæological Journal*:

"AGREEMENT for a gift in frank marriage, on the marriage of John Kary with Margaret, dau. of Robert de Holeway, dated at Wynkaleghe on Saturday after the Assumption of our Lady, 30 Edw. III.

"WHEREBY the said Robert covenanted to give with the said Margaret the reversion of all his lands and tenements in Holeweye, together with the reversion of all rents and services which he had in the parish of Northlyw, and the reversion of all the lands, rents and services in the parish of Beaworthi, to hold the said reversions after the death of Dame Margaret de Kelly and Robert de Holeweye, to the said John and Margaret in frank marriage; and the reversion of all the lands, rents and services in a certain place called Lutteford in the parish of Northlyw after the death of the said Robert and Joan his wife; and the reversion of all other lands and tenements, rents and services in the parish of Mortone '*susdit*' after the death of the said Robert.

"AND the said John de Kary was to enfeoff the said Margaret of all the lands, rents and services in Uppe Kary, to hold to her and the heirs of the body of the said John and her: and to grant a rent charge of £10 a year on the lands and tenements in Uppe Kary in whose hands soever they might come, by statute merchant or by any other security, according to the ordinance and election of good counsel of the said Robert.

"Neither the said John and Margaret nor their heirs are to

It was evidently a desirable match, to justify Robert de Cary in turning over the patrimonial estate to his son, and we may take it as the foundation of the son's subsequent fortunes.¹

John Cary became a man of business. There is no certainly identified record of him during the years immediately after his marriage: he may have been the John Cary who sat in the House of Commons as a burgess for Launceston in 1362 and 1364, while his grandfather and great-uncle were the knights of the shire for Devon. Certainly he must have been practising law in the county and so have made the reputa-

implead Emma, the daughter of the said Robert, and sister of the said Margaret, of the lands, rents and services and reversions, nor any parcel of them in Aysbury, Binslond, Bonwode, so that the said Emma and her heirs might not hold them as her property and in allowance of all the lands, rents, services and reversions which the said Margaret, daughter of the said Robert, is to have in Holeweye, Northlyw, Fenne and Morton, as is more fully above written.

"FOR the observance of all the aforesaid covenants on both sides the said Robert and John have pledged their faith the day and year above mentioned, in the presence of Thomas de Asseltone, Adam de Mileforde, Laurence de Holiwille, William Oliver, and Robert de Kary.

"AND the said Robert and John are agreed that these covenants shall be fully performed in the feast of St. Michael the year aforesaid."

There is attached a seal of dingy white wax showing an escutcheon within a cusped panel, the bearing being *on a bend three roses*. A rose is introduced on each side of the escutcheon. The legend is ✚ *Sigil' Iohannis D'Cary*.

¹The Holway estates of Northlew, Beaworthy, and Merton, which were acquired through this marriage, were on the head waters of Carywater. Their names appear again and again as part of the Cary properties in the Tor Abbey muniments.

tion which brought him subsequently into public office and enabled him to accumulate the means for his extensive purchases of real estate.¹

In 1373 he first appears upon the page of history. It was a time of national crisis, when fortune had turned against the arms of the Black Prince in France and the English were driven back to the coast towns in Aquitaine; when there was fear even that the tables might be turned and the French invade England in force. As it was, in 1372 the "wooden walls" of England were actually destroyed off La Rochelle by the combined fleets of France and Castile, and for several years thereafter English commerce and the southern seaport towns suffered from blockade, with occasional raids by harrowing privateers.²

The old lion of England, Edward III, roused

¹ As the result of his study of the Tor Abbey muniments, Mr. Dymond says (*H. & G.*, vi, 3) that at the time of the Chief Baron's attainder his holdings of real estate, with those of his uncle William Cary of Clovelly, were "extensive and widely scattered. They included the manors of Houndeston, Hardington, Halesbere and Chilton and lands at Yeovil and Kingston, in Somerset; whilst in Devonshire they held manors and lands at Clovelly, Cary, Lutterford, Wreycombe and Ashbury, Chepingtoriton (Great Torrington), Puddington, Holway, Highampton, Halwell and Cockington. They also held property at Tintagel and Donhedburgh (Launceston) in Cornwall." Some of these estates were, of course, inheritances, but the records show that many of them were the Chief Baron's purchases.

² *Chronicon Angliæ* (ed. Thompson in Rolls Series), 151 ff.; Riley, *Memorials of London, 1276-1419*, 410, 445. The success of the Spanish fleet, which chiefly carried on this warfare, stands out in striking contrast to the fate of a later Spanish Armada.



his people to self-defense. Giving warning that it was the intention of the king of France quickly to destroy the realm of England and wipe out the English tongue,¹ he arrayed the fyrd or militia to the defense of the coasts of the southern and eastern shires. In 1372 the general supervision of the defense was entrusted to four barons, but the following year it was apparently found expedient to localize the responsibility, and commissions of Captains of the Coast were thereupon issued for Norfolk, Suffolk, and Devon. That for Devon² was dated at Westminster May 10, 47 Edw. III (1373), and was addressed to the king's "trusty and well beloved Hugh Courtenay, earl of Devon; Guy de Brian, John de Welington, Henry de la Pomeray, William de Boneville, Knights; and Martin Ferers, William Cary and John Cary,³ Esquires," who were to act jointly and severally, *conjunctim et divisim*.

Three years later (1376) commissions of ar-

¹ Rymer, *Fædera* (ed. Holmes, 1727), vi, 665, 723.

² Rymer, *Fædera* (ed. Caley, 1816-30), iii, part 2, 976.

³ With Foss, we identify this John Cary as the Chief Baron. From the order of the list it would seem that the William Cary who precedes him must have been his great-uncle, the Parliament man, rather than his younger brother, the squire of Clovelly. It will be noted that they are both designated esquires (*scutiferi*). While the William Cary who served in Parliament is called by the Devon historians Sir William, the justification for the title seems to be the designation as "miles" in the receipt we have quoted from Prince; but that this was a simple description of the office of knight of the shire is apparent from the subsequent references to this William Cary in the episcopal register at Exeter. There is no evidence that he was ever knighted.



ray were issued in all the counties of southern England, those inland as well as on the coast. In that directed to Devon, several, but not all, of the captains of 1373 were appointed commissioners, viz., Hugh Courtenay, Earl of Devon; Guy de Brian, John de Dynham, John Beaumont, John Cary, and Martin Ferers, the Sheriff.¹

It was such a situation as existed two hundred years later at the time of the Armada, and again in the time of Napoleon, when other Carys had similar responsibilities on the south coast of Devon. We have some details of the Elizabethan activities,² but of what this fourteenth-century John Cary did we have no information, except from the nature of his office. As, like his descendant in Elizabeth's day, he

¹ Rymer, *ibid.*, 1046. The commissioner of array was the prototype of the later lord lieutenant of a shire. Blackstone (*Commentaries*, i, ch. 13) thus describes the functions: "It was usual from time to time for our princes to issue Commissions of Array and send into every county officers in whom they could confide to muster and array (or set in military order) the inhabitants of every district: and the form of the commission of array was settled in parliament in the 5 Hen. IV. But at the same time it was provided (1 Edw. III) that no man should be compelled to go out of the Kingdom at any rate, nor out of his shire, but in cases of urgent necessity: nor should provide soldiers unless by consent of parliament." The issue of commissions of array, involving heavy burdens beyond the obligations of feudal custom for the support of men at arms, for foreign service in Scotland and in France, had been one of the standing grievances of the Parliament during Edward III's reign and the subject of limiting statutes. (Stubbs, *Const. Hist.*, ii, 593.)

² See *post*, p. 202 ff.



was a man of business and not at all a warrior, we can conjecture that his duties were much the same; that being associated with soldiers like Sir Guy de Brian, the work entrusted to him was that of organization, say of the commissariat, or even the preparation of the *alert* beacons, which was one of the specific obligations named in the commission.¹

Whatever John Cary did in this emergency, we may safely assume that it was his service on the south coast which enamoured him of that region² and determined him to make it his principal place of residence, for it was apparently in 1374 that he and his uncle acquired Cockington by purchase from the widow of Sir Walter de Wodeland: thenceforth he is known, as were many of his descendants for the ensuing two hundred and seventy-two years, as "of Cockington."³

With the death of old Edward III we close the first chapter of John Cary's life. It is apparent from his subsequent career that he be-

¹ "Aliquod signum commune per ignem super montes."

² Leland's description (*Itinerary*, ed. Toulmin Smith, i, 224) of the South Hams in 1538 has a warmth which has been felt by many a subsequent visitor: "The hole ground bytwixt Torrebay and Exmouth, booth sumwhat to the shore and especially inward, is wel inclosid, fruitful of corne and grasse, and meatly wel woddid: and this quarter is caullid South hammes, the fruitfulest part of Devon."

³ The earliest title paper relating to Cockington among the Tor Abbey muniments is the record of a fine for the partition between John Cary and William Cary of an interest they had acquired in the estate, 47 Edw. III. See *H. & G.*, vi, 14. For description of Cockington, see *post*, p. 191.



came involved in the acrimonious party politics which color the domestic history of England throughout the reign of Richard II. He was of kin to the powerful and politically restless Devon family of Courtenay, and had been closely associated in public life with the head of that house; the alliance was to be cemented further in the next generation by the marriage of his son. We may conjecture then that he was drawn into national as distinguished from local affairs by his contemporary, that William Courtenay who became Bishop of London in 1375 and Archbishop of Canterbury six years later, was a member of the council of government on the accession of the young king, and sometime chancellor. A mature man, nearing fifty, in 1383 John Cary embarked on a professional career at Westminster—a career which proved so precipitous and so checkered as irresistibly to suggest that there was in it from the start more of ambition than of law.

Before we enter upon the instructive but depressing story with its dark shadows of weakness and cruelty, it behooves us, as one would smell salts before opening the door of a mephitic chamber, to realize that after all we are in Merry England. Let us then imagine John Cary standing beside a pillar in the Parvis, that

porch of old St. Paul's where the sergeants were
wont to gather, chatting of

. . . . caas and doomes alle
That from the time of Kyng William were y falle

with his brother of the bar, the sergeant whom
we are soon to meet again on the way to Canter-
bury, a type of lawyer familiar in all ages,

Nowher so busy a man as he ther nas
And yet he semed busier than he was.

And as they stand there the pageant of the streets
of London town goes by them, much as it goes
by us to-day, five hundred years after. Manners
have, indeed, greatly changed, but human nature
is the same. Then the street cries were "ripe
strawberries" and "hot sheepes feet,"¹ while,
as we write, they are of "extras" with
the last news of battles with the Hun; then
the man in the street discussed the mysterious
rising power of the Lollards, which was not
such a very different topic of conversation
from Bolshevism. In the passing throng our
lawyers recognize and salute with grave disdain
one whom many now estimate the greatest Eng-
lishman of their generation, though his con-
temporaries would have been surprised to
hear him so called, John Wycliffe, "the last
great schoolman of Europe, the first Clerk of

¹ John Lydgate's ballad *London Lackpenny*, 1399.

Oxford and the noblest and most astute thinker in a reactionary age."¹ Two others whose fame persists passed the Parvis that day. Geoffrey Chaucer,² "our first warbler," wending his way through the crowd to his house in the Aldgate, the site of which has become a shrine for latter-day pilgrims, was laughing merrily at his friend and fellow-poet "moral" John Gower, charging him with having "raised tediousness to the precision of a science," and telling him how a mad young fellow, Jack Falstaff, of the Duke of Norfolk's household, had a few days before broke the head of their friend Skogan at the court gate. Behind them comes another gracious figure, not one of the greatest of men but one whose name is, and for five hundred years has been, familiarly known to more men and women than that of either Chaucer or Wycliffe, nay, to more than that of King Richard himself: he is Sir Richard Whittington, "thrice Lord Mayor of London," a friend and supporter of his master the king, a

¹ Cadman, *Three Religious Leaders of Oxford*, 1916, 87. It was the fermenting effect rather than the theological substance of Wycliffe's heretical opinions which had disturbed all hearty orthodox well-to-do contemporary Englishmen, like John Cary, ever since the day of the hedge priest John Ball and his unforgettable couplet:

"When Adam delve and Eve span
Who was then the gentleman?"

² In 1386 Chaucer was, like John Cary, in the full tide of prosperity originating with his friends at court, a recent ambassador, in receipt of a liberal official income, a newly elected knight of the shire for Kent, but, like John Cary again, soon to experience political reverses on the temporary occultation of his royal master and patron. Cf. Coulton, *Chaucer and His England*, 1908, 54.



large benefactor by his charity, and the immortal hero of a nursery tale.

On November 26, 1383, John Cary was summoned to assume the coif and dignity of a sergeant-at-law.¹ He did not respond. Why he was summoned and why he avoided the duty does not appear, but his action raised an interesting question of law, for such a summons imposed a feudal obligation, it did not confer a mere individual privilege. There was indeed nominated in the summons a penalty of £100 for disobedience, and the barons of the exchequer proceeded to enter judgment against John Cary in favor of the crown in that sum. Whereupon at Hilary term, 8 Rich. II (1385), John Cary appeared in the exchequer in person and pleaded in bar of this judgment a pardon which he had obtained from the king.²

Whatever had been his previous politics, John Cary was henceforth, unlike his friend Archbishop Courtenay, a staunch supporter of the court party as opposed to that of the king's uncle Thomas of Woodstock, Duke of Gloucester. He soon had the reward of his allegiance. On No-

¹ Dugdale, *Chronica Series*, 53, gives the record: "6 Rich. II. Johannes Cary, Edmundus de Clay, Johannes Hill, summoniti ad gradum servientes ad legem, suscipiendum die lune proximo ante festum Purificationis Mariæ."

² The proceeding was so important as a precedent that the record is preserved at length in Manning, *Serviens ad legem* (1840), Appendix, p. 201.

vember 5, 1386, Sir Robert de Plesyngton, the Chief Baron of the Exchequer, who had rendered judgment against John Cary, was suddenly removed from his great office on frivolous grounds, and John Cary was appointed in his place.¹

¹ *Cal. Rot. Pat.*, 215. "Joh'es Cary Capital Baro Scaccarri ad pl'itum."

That we may appreciate what was this high judicial office and what the constitution and jurisdiction of the Court of Exchequer, we cannot do better than turn to Blackstone (*Commentaries*, iii, c. 4, p. 43). We quote from a copy of the fourth edition, 1770, upon which four generations of Carys founded their study of the law in Virginia. In addition to its intrinsic interest to our present enquiry, this passage is an illustration of Bentham's characterization of Blackstone as the first who "taught jurisprudence to speak the language of the scholar and the gentleman." The elegance and lucidity in the mere matter of punctuation is notable:

"The Court of Exchequer is inferior in rank not only to the Court of King's bench, but to the common pleas also: but I have chosen to consider it in this order on account of its double capacity as a court of law and a court of equity also. It is a very antient court of record set up by William the Conqueror as a part of the *aula regis*, though regulated and reduced to its present order by King Edward I and intended principally to order the revenues of the crown and to recover the King's debts and duties. It is called the exchequer, *scaccharium*, from the chequed cloth, resembling a chess board which covers the table there: and on which when certain of the King's accounts are made up, the sums are marked and scored with counters. It consists of two divisions: the receipt of the exchequer, which manages the royal revenue, and the court or judicial part of it, which is again subdivided into a court of equity and a court of common law. The court of equity is held in the exchequer chamber before the lord treasurer, the chancellor of the exchequer, the chief baron, and three puisne ones. These Mr. Selden conjectures to have been antiently made out of such as were barons of the Kingdom, or parliamentary barons: and thence to have derived their name: which conjecture received great strength from Bracton's explanation of *magna carta*, c. 14, which directs that the earls and barons be amerced by their peers; that is, says he, by the barons of the exchequer. The

Sir Robert de Plesyngton was as ardent a partizan of the Duke of Gloucester as John Cary now became of the king, and in that is found the real reason for the removal and the new appoint-

primary and original business of the court is to call the King's debtors to account, by bill filed by the attorney general; and to recover any lands, tenements or hereditaments, any goods, chattels or other profits or benefits, belonging to the crown. So that by their original constitution the jurisdiction of the court of common pleas, King's bench and exchequer was entirely separate and distinct: the common pleas being intended to decide all controversies between subject and subject: the King's bench to correct all crimes and misdemeanors that amount to a breach of the peace, the King being their plaintiff, as such offenses are in open derogation of the *jura regalia* of his crown: and the exchequer to adjust and recover his revenue, wherein the King also is plaintiff, as the withholding and non-payment thereof is an injury to his *jura fiscalia*. But as by a fiction almost all sorts of civil actions are now allowed to be brought in the King's bench, in like manner by another fiction all kinds of personal suits may be prosecuted in the court of exchequer. For as all the officers and ministers of this court have, like those of the superior courts, the privilege of suing and being sued only in their own court, so also the King's debtors, and farmers, and all accountants of the exchequer, are privileged to sue and implead all manner of persons in the same court of equity, that they themselves are called into. They have likewise privilege to sue and implead one another, or any stranger, in the same kind of common law actions (where the personalty only is concerned) as one prosecuted in the court of common pleas.

"This gives original to the common law part of their jurisdiction which was established merely for the benefit of the King's accountants, and is exercised by the barons only of the exchequer, and not by the treasurer or chancellor. The writ upon which all proceedings here are grounded is called a *quo minus*: in which the plaintiff suggests that he is the King's farmer or debtor, and that the defendant hath done him the injury or damage complained of; *quo minus sufficiens existit*, by which he is the less able to pay the King his debt or rent. And these suits are expressly directed, by what is called the statute of Rutland (10 Edw. I, c. ii), to be confined to such matters only as specially concern the King or his ministers of the exchequer. And by the *articuli super cartas* (28 Edw. I, c. 4) it is enacted that no common pleas be thenceforth holden in the exchequer

ment.¹ For John Cary it might have been an ominous beginning of a judicial career, but at least he knew what was expected of him.

On assuming his high office and so achieving a place in the world far greater than anything his ancestors had ever attained, Sir John Cary (for it was now that he was knighted) doubtless felt a serene pride in his distinction. He was already well-to-do, as we have shown, and he doubtless believed that he had every right to expect a long and comfortable public career full of honors for himself and full also of opportunity to promote the fortunes of his family according to the custom of the day. But the event showed that he lived in what, a few years later, a great noble justly characterized as "*un merveilleux*

contrary to the form of the great charter. But now by the suggestion of privilege any person may be admitted to sue in the exchequer as well as the King's accomptant. The surmise of being debtor to the King is therefore become matter of form and mere words of course, and the court is open to all the nations equally. The same holds with regard to the equity side of the court: for there any person may file a bill against another upon a bare suggestion that he is the King's accomptant; but whether he is so, or not, is never controverted. In this court, on the equity side, the clergy have long used to exhibit their bills for the non-payment of tithes; in which case the surmise of being the King's debtor is no fiction, they being bound to pay him their first fruits and annual tenths. But the chancery has of late years obtained a large share in this business.

"An appeal from the equity side of this court lies immediately to the house of peers; but from the common law side, in pursuance of the statute 31 Edw. III, c. 12, a writ of error must be first brought into the court of exchequer chamber. And from their determination there lies, in the *dernier resort*, a writ of error to the house of lords."

¹ Foss, *Judges of England*, 518.

monde et faux."¹ His elevation to the bench was to prove calamitous to himself and to bring after it a train of distress and suffering which involved all his kin, and had the immediate effect upon most of his own children of wiping out the position in the world which had been achieved by generations of their ancestors, scattering them to begin anew in obscurity. His misfortune was to enter the stage as one of the *dramatis personæ* of *The Tragedy of King Richard the Second*, for all that his name does not appear on Shakespeare's page. The sequel is a part of English history.²

In the ninth year of his reign and the twentieth

¹ Mowbray, Duke of Norfolk, to Henry of Bolingbroke, then Duke of Hereford, in a conversation fraught with fate. (*Rot. Parl.*, iii, 382.)

² As a preface to the story of Sir John Cary's judicial experience it will be profitable to observe the illustration it affords of the tendency of family tradition to interpret into heroic action the weakness of ancestors. Sir William Pole, the Devon antiquarian who died in 1635, has left a charming collection of anecdotes of the early Devonshire worthies. Doubtless, like all other local historians, he pieced out the material found in his notable MS. library of deeds and charters, to which his successors refer with such respect (*e.g.*, Prince, *Worthies of Devon*, 176), by the current traditions of the families of which he treated, and he found that in the Cary family, certainly, all the geese were esteemed to be swans of necessity, for was not a swan the family crest? But it is apparent that Sir William Pole did not read the Rolls of Parliament, for here is his entry (in *Collections*, etc., 88) on the Chief Baron:

"Sr John Cary was one of the Judges of the King's Bench, temp. R. 2, who sacrificed his estate to preserve his conscience, chusing rather to suffer his goods to be confiscated & himself banished, than to violate his oath in consenting to the proceedings of the procurators for the resignation of the unhappy King his master."



of his age, Richard II had entrusted the conduct of his government to that sturdy soldier Sir Michael de la Pole, then chancellor of England and recently created Earl of Suffolk. Pole being deemed a *novus homo*¹ by the great nobles, his administration was opposed by a growing party led by the king's uncle, the Duke of Gloucester. When Parliament met October 1, 1386, the Gloucester party was in control. Richard was forced to dismiss his chancellor, who was thereupon impeached of alleged high crimes and misdemeanors, tried in Parliament and acquitted on all the criminal charges. This trial went to the merits of the preceding government, and we may be sure that nothing which could be interpreted as discreditable to either Pole or the

It would be difficult to put into a few lines more misstatements of fact.

Indeed, if the kindly antiquarian, jealous of the honor of all Devon men, had perversely attempted to describe what Sir John Cary did not do, he could not have chosen words more apt; and yet he has given color to the most widely read notice of this particular Cary. (Fuller, *Worthies of England*, ed. Nuttall, 1840, 410.)

There is the less excuse for Pole by reason of the fact that the description of the Chief Baron in the Visitation of Devon, 1620, to which he might have had access, was reasonably correct except as to date:

"This Sir John Cary was very well learned in the lawes of the realm & Chief Baron of the Exchequer under K. R. 2, who giving his opinion in certayne matters then in question was very well liked and allowed, but afterwards in the time of H. 4 he was called to accompt for the same, & being indicted was attainted & his goods & lands confiscated: and pardoned of his life, he was banished to Ireland, where he died."

¹He was derived from a merchant family, the Poles of Hull. See for them, H. R. E. Bourne, *English Merchants*, 1898.



king was omitted in the presentation of the evidence. "Both the proceedings and the result," says Lingard, "seem to prove that the administration of Richard had not been so arbitrary and oppressive as we might otherwise have been led to suppose."

The Gloucester party now disclosed its real purpose and flew at a higher quarry even than the late chancellor. It was proposed on precedents of the reigns of John, Henry III, and Edward II to establish a permanent council to reform the state of the nation. Richard demurred, but as Parliament refused to vote supplies to support the army which was gathering to repel a threatened invasion from France, the king was obliged to yield, and consented to the constitution for one year of a commission of eleven prelates and lords headed by Gloucester, only a minority of whom were the king's friends; they were to enquire into the grievances of the people, with large executive powers. It was in fact a practical deposition of the king. Richard openly protested that this was a violation of the prerogative of the crown.

The king and his supporters at once set out on a campaign to overthrow the commission. Under the lead of Pole, Richard made a progress to York, to Chester, and into Wales during the spring of 1387, propitiating men of influence in order to secure their support when the next



Parliament should meet, thereby seeking to gain his end in a constitutional way. But two of the king's friends, Alexander Neville, Archbishop of York, and Robert de Vere, Earl of Oxford, recently made duke and viceroy of Ireland, were hotter-headed and planned by intrigue to secure immediate results. They called in first Sir Robert Bealknap, Chief Justice of the Common Pleas, and when he did not suggest a method of annulling the commission under the color of law, they turned to the astute Sir Robert Tresilian, Chief Justice of England. A more willing tool, he advised that the action of Parliament creating the commission was, as we would now say, unconstitutional as in derogation of the king's *regalie* or prerogative. It was determined to persuade the king that this opinion was beyond cavil by confirming it with the judgment of all the other judges. In August¹ the great judges² were accordingly called into council, first at Shrewsbury and then, as all did not attend the first meeting, at Nottingham.³ By

¹We can give color to the date by remembering that a few months before, on April 16 of that same year 1387, there gathered at the Tabard Inn in Southwark a band of pilgrims bound for Canterbury, who had an immortal chronicler. (See Coulton, *Chaucer and His England*, 145.)

²Sir William de Skipwith, one of the puisne judges of the Common Pleas, who was summoned, pleaded illness and did not attend, so that he was the only one of the judges who escaped the consequences of the Shrewsbury and Nottingham councils.

³Nottingham Castle is a place of ill omen to Carys. While they recovered from the ruin there brought upon them by the



threats, by allegation that it was the king's express desire, and by actual violence, the archbishop finally, in the presence of the king and certain prelates, secured the opinion he wanted from Sir Robert Bealknap, Chief Justice of the Common Pleas, and his fellows on that bench, Sir Roger Fulthorpe, Sir John Holt, and Sir William Burgh, as well as Sir John Cary and John Lokton, then king's sergeant, but immediately thereafter appointed a justice of the King's Bench.¹ Those who attended the Nottingham council sealed a Memorandum setting out certain questions with answers confirming the claim of derogation of prerogative by the acts of the last Parliament and holding those responsible for those acts to be traitors and worthy of punishment as such, subject only to the king's mercy. The entire paper, questions and answers, seems to have been prepared in advance by the referendary, John Blake, under dictation of Sir Robert Tresilian. In defense of their weakness the judges subsequently alleged that they had assented only under duress: to which it was justly

Chief Baron, they have never yet altogether recovered the place in the world they lost as a consequence of Charles I's act in raising his standard at this same castle on August 22, 1642.

¹ Foss (*Judges of England*, 411) conjectures that as no other king's sergeants were present John de Lokton was summoned to the council "in consequence of his being designed as the successor of David Hannemere, the judge of the King's Bench, then recently deceased, since his appointment took place two months afterwards on October 25th." (See Dugdale, *Chronica Series*, 53.) Like John Cary, Lokton died at Waterford in exile.



urged by the Commons that that was no defense at all, the judges being learned in the law and, of all men in England, knowing best that the king had a right to demand nothing but their judgment in accordance with the law.

This fatal Memorandum, which was the immediate cause of the destruction of the judges, was the first link in the long chain of events which led to the destruction of the king himself twelve years later.

The proceedings of the Nottingham council were revealed by Sir Roger Fulthorpe, in great distress of mind, to the Earl of Kent, one of the Gloucester party, and the Memorandum was at once eagerly seized upon not only as an offset to the rising tide of opinion favorable to the king and Pole, but as a pretext for accomplishing a final overthrow of the king's ministers. Passion ran high on both sides. The king and his friends undoubtedly had planned a *coup d'état*. On the other hand, the Gloucester party, inflaming men's minds with the story of the Nottingham council and the risk of death revealed by its proceedings, to all who had been members of the Parliament of 1386, armed for civil war. Vere also raised an army in Cheshire and marched on London, but was met and disgracefully overthrown at Radcot Bridge. The king appealed in vain to London for aid; and then, realizing that Gloucester was in control, advis-



ing his friends to flee, surrendered.¹ On February 3, 1388, a new Parliament, carefully packed by the Gloucester party, met and proceeded to earn its title of "merciless." Five peers of the Gloucester party, called in the subsequent proceedings the lords appellant (they were the duke himself, and the earls of Arundel, Nottingham, Warwick, and Derby, the last named being Henry of Bolingbroke, afterwards king of England as Henry IV), "appealed" of treason those who were held responsible for the Nottingham council,² namely: the Archbishop of York, the Duke of Ireland, the Earl of Suffolk, Sir Robert Tresilian, and Sir Nicholas Brembre, the leader of the king's party in London, sometime lord mayor and master of the unpopular guild of victualers (as who should say the *packers!*). These five were thenceforth termed the appellees. One of the many charges in the formal indictment was that the appellees had debauched the judges in order to "*colorer leur faux Treason & Fauxetees*," the Nottingham

¹Oman, *Political History*, iv, 106. One cannot but feel that if Richard had then shown some of the personal courage which distinguished his boyish rencounter with Wat Tyler, he might at least have saved his friends and the judges who were their tools.

²The spokesman for the appellants was Sir Robert de Plesyngton, the late Chief Baron, who had an obvious motive. It is of interest to note that despite his active part in the prosecution and the triumph of his party, Plesyngton did not secure reappointment as Chief Baron. (Foss, 518.) Sir John Cary was succeeded in that post by Thomas Pynchebek, whose patent was dated April 24, 1388, seven weeks after the close of the trial of the judges. (Dugdale, *Chronica Series*, 53.)



Memorandum being set out at length. The appellees had all escaped except Tresilian and Brembre. The trial nevertheless proceeded and all the appellees were convicted of treason and sentenced to death. Tresilian and Brembre were at once hanged at Tyburn. Parliament then proceeded against the five judges who were involved, on the facts which appear at their trial. They were arrested as they sat on the bench, incarcerated in the Tower of London, and soon brought before Parliament for trial. Let us now turn to the formal record in the Rolls of Parliament:

THE TRIAL OF THE JUDGES FOR TREASON
*IN 1387*¹

ITEM. On Monday, the second day of the month of March next ensuing, Sir Robert Bealknap, recently Chief Justice of the Common Pleas, Sir Roger Fulthorpe, Sir John Holt and Sir William Burgh, recently his fellow justices of the said Bench, Sir John Cary, recently Chief Baron of the Exchequer, and John Lokton, recently King's Serjeant at Law, were brought before the Parliament at the demand of the Managers for Parliament and there were accused and impeached by the assembled Commons representing every county, city and borough of England, for that:

WHEREAS, the said Appellees, now convicted of treason and sentenced as aforesaid, in the exercise of the royal power which they usurped, haled the King our Lord to distant parts of his Kingdom, that is to say into the county of Cheshire

¹Translated from *Rot. Parl.*, iii, 238 et seq.



and into Wales so that the Lords who had been ordained by the said Commission to be of his council for the good governance of the Kingdom were not able to approach him to take counsel with him as was meet for such governance, and

WHEREAS, in order to cover and conceal their aforesaid high treason and to accomplish most colorably and covertly such treasons according to their evil purpose, they caused a council to be assembled at Shrewsbury in the presence of the King and summoned to the said council the said Sir Robert Bealknap, Sir John Holt, Sir William Burgh and Sir John Cary, and then and there put certain questions to them in the presence of the King, to all of which questions they made answer: and the said questions and answers being reduced to writing the aforesaid Sir Robert Bealknap, Sir John Holt, Sir William Burgh and Sir John Cary affixed their seals to the said writing, and

WHEREAS, the said Appellees, in order to further their evil designs and their traitorous purposes aforesaid (later) caused another council to be assembled at Nottingham, when and where in the presence of the King the aforesaid questions were rehearsed and put to the aforesaid Sir Robert Bealknap, Sir John Holt and Sir William Burgh, and also to the said Sir Roger Fulthorpe and John Lokton, then and there assembled for the said council; to all of which questions they made answer as at Shrewsbury; and the said questions and answers being then and there again put into writing the aforesaid Sir Robert Bealknap, Sir John Holt, Sir William Burgh, Sir Roger Fulthorpe and John Lokton affixed their seals to the said second writing, and

WHEREAS, of this last mentioned writing the Commons have exhibited to Parliament a copy of the following tenor, that is to say:

MEMORANDUM, that on the twenty-fifth day of the month of August, in the eleventh year of the reign of



King Richard the Second, at the castle of Nottingham, in the presence of our lord the King, came Robert Tresilian, Chief Justice, Robert Bealknap, Chief Justice of the Common Pleas, John Holt, Roger Fulthorpe and William Burgh, Knights, fellow justices with said Robert Bealknap, and John Lokton, King's Serjeant, and then and there in the presence of the Lords and others who are subscribers hereto, being admonished by the faith and allegiance which they bear to our lord the King to answer certain questions herein written below: and said questions being recited in their presence, they replied faithfully and answered on their judgment as men learned in the law: their said answers being herein set over against such questions, as follows, viz:

FIRST: Whether the new statute and Commission made in the last Parliament were against the King's prerogative, or no? To which they all answered, It was.

SECONDLY: How they ought to be punished, that procured the said statute and Commission to be made? They answered with one assent, that they deserved death, except the King would pardon them.

THIRDLY: How they ought to be punished who moved the King to consent to the making of the said statute and Commission? They answered, they ought to lose their lives unless the King would pardon them.

FOURTHLY: How they ought to be punished that compelled the King to the making of that statute? They answered, they ought to suffer as traitors.

FIFTHLY: Whether the King might cause the Parliament to proceed with Articles by him limited before they proceed to any other? They answered, that in this the King should over-rule: and if any presumed to do contrary, he should be punished as a traitor.

SIXTHLY: Whether the King might not at his pleasure



dissolve the Parliament and command the Lords and Commons to depart? They all answered, he might.

SEVENTHLY: Whether the Lords and Commons might without the King's will impeach officers and justices, upon their offences in Parliament, or no? It was answered, They might not, and he that attempted contrary was to suffer as a traitor.

EIGHTHLY: How is he to be punished who moved in the Parliament that the statute wherein Edward the Second was indicted in Parliament might be sent for: by inspection of which statute the present statute was devised? It was answered, that as well he that moved it as he that brought the statute into the House were to be punished as traitors.

NINTHLY: Whether the judgment given in Parliament against Michael de la Pole was erroneous and revocable? They answered, it was erroneous and revocable: and that if the judgment were now to be given, the Justices would not give the same.

IN WITNESS of the premises, the Justices aforesaid, to these presents have set their seals in the presence of Alexander, Archbishop of York; Robert, Archbishop of Dublin; John, Bishop of Durham; Thomas, Bishop of Chester; John, Bishop of Bangor; Robert, Duke of Ireland; Michael, Earl of Suffolk; John Ripon, Clerk, and John Blake.

The aforesaid copy having been first read to the said Sir Robert Bealknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh, Sir John Cary and John Lokton, it was charged by the Commons that when the aforesaid recent Justices, Baron of the Exchequer and King's Serjeant were required to answer in the presence of that liege Lord what was the law in such a case, and not otherwise, they answered contrary to the law, thereby giving effrontery to the said



Appellees, now adjudged to be traitors for the accomplishment of their said high treason under color of law and to the destruction of all the Lords and loyal lieges who had aided and counselled at the ordination of the said Commission and the statute, at the last Parliament, enacted for the good governance of the state of the King, our said Lord, and of all his Kingdom, and

WHEREAS, the said recent Justices, Baron of the Exchequer and King's Serjeant, knowing full well the traitorous purpose of the said convicted Appellees (did by their action) aid and comfort them in their said purpose and furthermore did conceal the same without discovering it to any of the Lords who had been ordained as the said Commission for the good governance of the Kingdom, as aforesaid.

WHEREFORE, the Commons do pray that the said recent Justices, Baron of the Exchequer and King's Serjeant may be adjudged traitors in the premises.

Upon this indictment demand was made upon the aforesaid recent Justices, Baron and King's Serjeant whether the questions aforesaid had been put to them and whether they had answered in the manner alleged by the Commons and as set forth in the said copy.

And they replied and said that they could not deny that the said questions were put to them as set forth in the said copy: but that their answers to said questions as also set forth in the copy were written on the original of the said copy in part otherwise than was their intention: however (it was the fact that) they had affixed their seals on the original as alleged by the Commons.

And the said Sir Robert Bealknap pleaded that about Epiphany next after the last Parliament he had gone to the manor of Windsor by command of the King our Lord and there in the chamber of the Archbishop of York the said Archbishop represented to him that he (the Archbishop) impugned and



wished to compass the overthrow¹ of said Commission and of the statute enacted at the last Parliament because they were in derogation of the prerogative of our lord the King; that there were none in all the world, either in France or in England, whom our lord the King detested more than those responsible for said Commission, and that if he (Sir Robert Bealknap) could not devise some practicable means to set aside and annul the said Commission and statute and restore our lord the King to his prerogative which had been so demeaned, he would be slain as a false traitor. To which he (Sir Robert Bealknap) replied that the intention of the Lords and of all the others who had aided in the ordination of said Commission and statute was that they were for the benefit, the honour and the good governance of the estate of our lord the King and of all his Kingdom, and he thereupon departed from Windsor in sore distress of mind and in great doubt of his life. And again he went to Woodstock by command of the King and there similar representations and threats were made to him: to which he replied as before and again departed in as great doubt as before. And he testified further that the answers which he made to the said questions were not made of his free will but altogether contrary to and at variance with his judgment: that he was menaced by the Archbishop of York, the Duke of Ireland and the Earl of Suffolk that if he did not reply to the said questions agreeably to the wishes of our lord the King, he would be a dead man or utterly destroyed: and, indeed, some actual bodily injury was done him because he would not quickly do their will. So it was that the answers which he made were, as he claimed, made by reason of the great doubt into which he was put by the said evil persons. And finally he said he was sworn and commanded in the presence of the

¹Reading: "qu'il feust ymaginour & contrevour des ditz Commission."



King, on pain of death, to conceal all that had passed as a proceeding of the King's council.

And he prayed by the love of God that upon these facts he might have a gracious and merciful judgment.

And the said Sir John Holt pleaded that he was menaced by the said Archbishop of York, the Duke of Ireland and the Earl of Suffolk that if he did not answer the said questions agreeable to the wishes of our lord the King he would be a dead man or utterly destroyed: and indeed some actual bodily injury was done him because he would not quickly do their will. So it was that the answers which he made were as he claimed made by reason of the great doubt into which he was put by the said evil persons. And finally he said he was sworn and commanded in the presence of the King, on pain of death, to conceal all that has passed as a proceeding of the King's council.

And he prayed by the love of God that upon these facts he might have a gracious and merciful judgment.

And the said Sir William Burgh and Sir John Cary pleaded, severally, each for himself, that they had heard how the said Sir Robert Bealknap and Sir John Holt were evilly entreated for the reason aforesaid and that they also, the said Sir William Burgh and Sir John Cary, were menaced by the said Archbishop of York, the Duke of Ireland and the Earl of Suffolk that if they did not answer the said questions agreeably to the wishes of the King they would be dead men and utterly destroyed: and it was represented to them that Sir Robert Bealknap and Sir John Holt had answered the questions in that way, whereupon against their wills they assented and affixed their seals, being in great doubt by reason of the threats and circumstances aforesaid.

And they prayed by the love of God that upon these facts they might have a gracious and merciful judgment.

And the said Sir Roger Fulthorpe pleaded that he was threatened by the Archbishop of York, the Duke of Ireland,



the Earl of Suffolk and Sir Robert Tresilian that if he did not answer the said questions agreeable to the wishes of the King he would be a dead man or utterly destroyed.

And the said John Lokton pleaded that he was [at the time] naught but the King's Serjeant and had but little power to have resisted the malice of so great men.

And furthermore, Sir Roger Fulthorpe and John Lokton testified that the Earl of Suffolk told them that the other justices had already answered the questions in the manner alleged. For which reasons and because of the great doubt into which they were thrown by the threats aforesaid, they, the said Sir Roger Fulthorpe and John Lokton assented, against their will, to the answers made to the said questions and affixed their seals to the original of the said copy which contained the said questions and answers.

And Sir Roger Fulthorpe further testified that soon afterwards, that is to say on the next day at Nottingham, he disclosed the facts to the Earl of Kent¹ and said to him that he had acted against his judgment, praying that the Earl might so bear witness in time to come, if cause there should be.

On these facts Sir Roger Fulthorpe and John Lokton prayed by the love of God that they might have a gracious and merciful judgment.

To all of this the Commons made reply and said that the aforesaid recent Justices, Baron of the Exchequer and King's Serjeant were held and considered to be men learned in the

¹This was Thomas Holland (1350-1397), second Earl of Kent and half-brother of King Richard II, his mother having married the Black Prince *en secondes nocces*. He is described as "cruel and selfish," a characterization which is justified by the fact that he now refused to confirm Sir Roger Fulthorpe's statement of a disclosure of the proceedings of the fatal Nottingham council, though the very existence of the Memorandum in the hands of the Commons is evidence that Sir Roger Fulthorpe bore true witness and made possible "precautions" by the commission, even though the disclosure was not technically made to one of the commissioners.

law: that the will of the King could only be that they should respond to the questions put to them in accordance with the law, and not otherwise. As it was, they had replied to the questions falsely and contrary to the law, thereby, as charged, driving on and emboldening¹ the said false traitors, now so adjudged, to the murder and destruction, under colour of law, of the Lords and loyal lieges who had aided and abetted the ordination of the said Commission and the statute enacted at the last Parliament for the good governance of the estate of our lord the King and of his Kingdom. And furthermore they had concealed the false purpose and imaginings of the said false traitors, already convicted as aforesaid, without disclosing to any of the Lords who were of the said Commission established by the last Parliament, so that precautions might be taken against the said false purpose and imagining; that concealment of such high treason touching the estate of the King our lord and his Kingdom could never be justified, whether bound by an oath or otherwise.

For the which considerations the Commons prayed that the said recent Justices, Baron of the Exchequer and King's Serjeant might be adjudged convicted and attainted of treason, and as traitors to our lord the King and his Kingdom.

Whereupon the Lords Temporal declared they would be advised in order to examine into the matter and the circumstances deliberately, to the end that they might render such judgment as should be to the honour of God and to the honour and profit of the King our lord and of all his Kingdom.

And then on the Friday next ensuing, which was the sixth day of the said month of March, the said Sir Robert Beal-knap, Sir Roger Fulthorpe, Sir John Holt, Sir William

¹ The original has it "donnantz hardiment & bandour," which are terms of falconry for the encouragement of the hawk in pursuit of his quarry.



Burgh, Sir John Cary and John Lokton were again brought before the Parliament in the White Hall, whereupon the Lords Temporal, being advised, rendered judgment upon them, to-wit:

INASMUCH as Sir Robert Bealknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh and John Lokton were present at the ordination of the said Commission and statute enacted at the last Parliament,¹ and they and Sir John Cary well knew that the said Commission and statute were ordained for the honour of God and for the good governance of the estate of the King our lord and of all his Kingdom, and

INASMUCH as the will of the King our lord never was that they should have answered the said questions otherwise than in accordance with the law, but nevertheless they knowing the law answered overtly contrary to the law, thereby giving encouragement to the said Appellees, who have heretofore been adjudged false traitors, to accomplish their false treason and imaginings and to murder and destroy the lords and loyal lieges who had aided, counselled and assented at the ordination of the Commission and statute enacted at the last Parliament for the good governance of the estate of our lord the King and of all his Kingdom, and

INASMUCH as the said Robert Bealknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh, Sir John Cary and John Lokton had knowledge of the said false purpose and imaginings of such high treason and would not disclose it to any of the Lords who were of the said Commission ordained at the last Parliament so that precautions could have been taken for the salvation of the King our lord and his Kingdom,

¹ The judges were summoned to Parliament *ex officio*. Sir John Cary had been appointed to the bench since the Parliament of 1386 had convened, and so, not having been present in Parliament, was not included in this list.

IT IS ADJUDGED that this is treason.

For which consideration the sentence of the Lords Temporal, with the assent of the King our lord, is that

The said Sir Robert Bealknap shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever;

The said Sir Roger Fulthorpe shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever.

The said Sir John Holt shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever.

The said Sir William Burgh shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever.

The said Sir John Cary shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever.

The said John Lokton shall be drawn and hanged as a traitor and he and his heirs shall be disinherited forever.

AND IT IS FURTHER ADJUDGED that all the lands, tenements, goods and chattels of the said Sir Robert Bealknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh, Sir John Cary and John Lokton shall be forfeit to our lord the King:

AND IT IS FURTHER ADJUDGED that they (the said convicts) shall be conveyed to the Tower of London and thence drawn through the City of London and as far as the Forks of Tyburn and there hanged by their necks.

Sentence having thus been pronounced the reverend father in God, the Archbishop of Canterbury and all the bishops his colleagues from both provinces, who were in attendance on Parliament, thereupon intervened and besought the Lords Temporal that execution of the sentences upon the said convicts, so far as concerned their lives, might be stayed until the Archbishop of Canterbury and the bishops might pray the King our lord for the lives of the said convicts.

Whereupon the King our lord at the same session forgave and pardoned the said Sir Robert Belknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh, Sir John Cary



and John Lokton, but only so far as concerned the sentence of drawing and hanging of their bodies, and granted to them their lives and to each one his life, and the decree was that none of them should lose life or limbs by reason of the aforesaid judgment: all of which was published in open Parliament by the reverend father in God, the Bishop of Ely, Chancellor of England by command of the King our lord.

Whereupon there was at once suspension of execution and amendment of judgment, that is to say, the provision of the judgment as to disinheritance and forfeiture remained in full force, but the bodies of said convicts were consigned to prison there to remain at the will of the King and until he should, with the advice and assent of the Lords in Parliament, ordain otherwise.

.

And (the next day) it was ordained in the same Parliament that the said . . . Sir Robert Bealknap, Sir Roger Fulthorpe, Sir John Holt, Sir William Burgh, Sir John Cary and John Lokton be banished to the Kingdom of Ireland, there to dwell all their lives, that is to say:

Sir Robert Bealknap and Sir John Holt in the town of Drogheda, and the said Sir Robert Bealknap shall not fare forth from the said town more than three leagues, nor the said Sir John Holt more than two leagues;

Sir Roger Fulthorpe and Sir William Burgh in the City of Dublin, and the said Sir Roger Fulthorpe shall not fare forth from the said city more than three leagues, nor the said Sir William Burgh more than two leagues.

Sir John Cary and John Lokton in the City of Waterford, and neither of them shall fare forth more than two leagues from the said city.

And they shall embark, that is to say . . . Sir John Cary and John Lokton at Bristol and the said Sir Robert Bealknap, Sir John Holt, Sir Roger Fulthorpe and Sir William Burgh at Chester. They and each of them shall be at



their said ports between now and the feast of St. Peter *ad vincula*, and they and each of them shall be in the land of Ireland each at the place assigned to him as aforesaid at the latest by the feast of St. Michael next to be.

And it is further ordained that none of them shall at any time meddle with nor practice law nor act as counsellor at law. Finally it is ordained that they shall have annual provision for their support, for life, that is to say Sir Robert Bealknap forty pounds, Sir Roger Fulthorpe forty pounds, Sir John Holt forty marks, Sir William Burgh forty marks, Sir John Cary twenty pounds, and John Lokton twenty pounds, in all cases the gift of the King, and payable in such manner as may be ordained and assigned by the King's Council.¹

And each of them may have two servants to cross the sea with him and to wait on him.

And so the unhappy judges, dramatically given their lives by the intercession of the Archbishop of Canterbury, instigated, some authorities say, by the "good Queen Anne," daughter of the Emperor Charles IV,² and thus saved from the infamy of death on the gallows, departed broken men to face a life-long exile in Ireland, three of the six never to return. Bitterly must they have repented of their lack of steadfast courage and professional self-respect which is ever a true man's buckler in a *merveilleous*

¹The respective allowances seem to have been the equivalent of their official salaries, having a purchasing power of at least £300 in modern money. The mark was equivalent to 13s 4d in the money of the time.

²One could almost wish it had been Richard's second queen, Isabella of France, the charming lady to whom Shakespeare introduces us in the garden of Langley. (*King Richard II*, act iii, sc. 4.)

monde et faux, as was proved by Chief Justice Gascoigne in the next reign.

Before pursuing the story of the judges to its end let us pause to get a perspective and read the characteristic comment of two modern historians upon the events of the eleventh year of Richard II.

Bishop Stubbs, the dry-as-dust scholar, feels the passion of the times of which he writes and stirs uneasily at the injustice done individuals, though never forgetful of the slow process of constitutional law through

That codeless myriad of precedent,
That wilderness of single instances.

Speaking of the "merciless Parliament," he says:¹ "Its acts fully establish its right to the title and stamp with infamy the men who, whether their political aims were or were not salutary to the constitution, disgraced the cause by excessive and vindictive cruelty."

A younger student of the medieval period in England, third of a race of liberal historians, is insistent only on what the English people secured in the reign of Richard. "One gain only," says G. M. Trevelyan,² "had been made. During the dotage of Edward III and the boyhood of Richard the Commons had asserted their

¹ *Constitutional History*, ii, 525.

² *England in the Age of Wycliffe*, 290.



right to interfere in the government and had taken on their own shoulders business of a purely political nature which had formerly been left to the King and the Lords. The balance of power established under the Lancastrian constitution of the next century, itself the root of the Hanoverian constitution, would have been impossible but for the action of the House of Commons in the sad years whose history we have related."

And now of the sequel. Richard had been compelled to give his consent to the disgrace of his friends, but weak as he was at times he was to show again the flame of that spirit which enabled him, a mere lad, to face and to subdue Wat Tyler's mob of rebellious peasants. For nearly a year the Gloucester party governed England, and then reaction to the king set in. In a great council held after Easter, 1389, Richard suddenly requested his uncle to tell him his age. "Your highness," the duke replied, "is in your twenty-second year." "Then," added the king, "I must certainly be old enough to manage my own concerns." And manage them he did, to the astonishment of all the kingdom, through several tranquil years. Biding his time until he had concluded a truce with France and so gathered strength for action at home, it was not until 1397 that he took his revenge for the degradation of 1386 and the following years.



When he did act it was with decision and ruthless vigor. Gloucester and his followers were arrested and in their turn "appealed" for treason. Some were executed, some banished, the duke himself dying mysteriously in prison at Calais: it was reported that at the king's order he was smothered between two beds. In January, 1398, Parliament, doing the king's will under the threat of an armed force, repealed all the legislation of 1386 and 1388, including the attainders for treason.

A quarrel between the Duke of Norfolk and Henry of Bolingbroke was seized upon by the king as an excuse for banishing them both, and thus he was rid of all the five lords appellant of 1388. It is at the moment of the culmination of this long-nursed and terrible revenge that Shakespeare justly begins his stirring chronicle of the swift succession of events leading to Richard's deposition. All men who had opposed him read in the fate of Gloucester and Bolingbroke their own risk from this alternately weak and strong, amiable and cruel, king. When, then, on the death of John of Gaunt in 1399, Richard seized the Lancaster estates and Henry of Bolingbroke landed in Yorkshire with a few followers "to recover his inheritance," the powerful Percies of the north gave him their support and lesser men flocked to his standard. Henry the Fourth, king by conquest, but, by one of the fictions dear

to the English law, claiming of right, took his seat on the throne at Westminster on September 30, 1399.¹

But what of the judges?

In September, 1397, Parliament had petitioned King Richard that Robert Bealknap, John Holt, and William Burgh, "banniz & demurrantz en Ireland," might be recalled from banishment and restored to their civil rights.² It appears³ that those three did return to England during that year. The others were dead. It still remained to rehabilitate the reputations and restore the property of them all, and that also was attempted by the same Parliament at its session at Shrewsbury in January, 1398. As part of the action for the repeal of the legislation of 1386, so obnoxious to the king, and with it the attainders of 1388, the case of the judges was reviewed on its merits. The Nottingham Memorandum was once more read into the record of Parliament, and "demand was made on

¹ Who can forget the human note of the groom's report to Richard, the prisoner of Pomfret Castle (*Richard II*, act v, sc. 5):

"O how it yearned my heart when I beheld
In London streets, that coronation-day,
When Bolingbroke rode on roan Barbary,
That horse that thou so often hadst bestrid;
That horse that I so carefully have dressed."

² *Rot. Parl.*, iii, 346. It has been well remarked that the Parliaments of the reign of Richard II resemble a Greek chorus, changing their tune with the sentiments of the protagonist, but not approving much of anything that is done.

³ Foss, *Judges of England*, 64, 351, 141.



all the estates of Parliament how it seemed to them were such answers of the exiled judges, and they said that it seemed to them that the said justices had given their answers duly and loyally as good and loyal lieges should have done. In the same manner Master Thomas de Skelton, learned in the law, William Hankford¹ and William Brenchesle, serjeants at law, being asked by the King for their advice in the premises, said that the answers were good and loyal and that they would have given the same answers if the said questions had been put to them. And Master William Thirning, Chief Justice of the Common Pleas, said that judgment of treason did not belong to Parliament:² in all of which William Rikhill concurred, as did Master Walter Clopton, Chief Justice of England, when he arrived."

Whereupon the present Parliament resolved and adjudged that the answers of the judges in the Nottingham Memorandum were good and true.³

The enrollment of this action of Parliament had hardly been accomplished before it was nullified. On the accession of Henry IV, the new

¹This was a Devon worthy, the later Chief Justice, whose daughter became the second wife of our Chief Baron's son Robert.

²Chief Justice Thirning lays his finger on the unconstitutionality of the action of the merciless Parliament. Parliament as such had no right to try and adjudge any man for treason. On this point the Nottingham Memorandum was undoubtedly good law.

³*Rot. Parl.*, iii, 358.



Parliament, consisting of the same members as the last, proceeded to rescind their own recent repeal of the legislation of 1386 and reinstate the attainders of 1388, but supine as it was to the wishes of its successive masters, these Parliament men still felt compassion for the judges. A petition is recorded in which the Commons recite the Nottingham Memorandum once more, alleging it to be, "as they suppose, one of the causes of the deposition of Richard who was then King," wherefore they pray that on account of the "age and poverty of said justices" the king will restore civil rights to "such of them as are still alive" and restore the property of them all. Henry's answer from the throne was that "le roy s'advisera,"¹ and in the course of the next few years we find that Henry did restore much of the forfeited property to the surviving judges Burgh and Holt and to the heirs of those who had died.

And so ended the tragedy of the judges.²

Of John Cary's life at Waterford, that ancient stronghold of the Danes, we have no record except that by the terms of the decree of banishment his family was denied access to him on pain of death.³

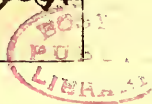
¹ *Rot. Parl.* (1 Hen. IV), iii, 442.

² There is frequent evidence that the judges of England remembered the precedent of their predecessors, *temp.* Richard II, and held it in proper dread. We have to wait until the time of Charles I to see another example of such judicial subserviency.

³ See the decree of banishment in Rymer, *Fædera* (Caley ed., 1816-30), iii, part 4, 27.



THE SEQUEL OF TEWKESBURY





He lived in exile seven years, "a long while, God knows," says Prince with a compassion we can well echo, "for an aged person of a nice and tender way of living to be confined to the shades of misery and sorrow." He had his colleague, the Yorkshireman John Lokton, for his companion, and two loyal Devon men as servants; but for all that Waterford was then an English trading station it is not likely he had other congenial companionship. He was sure to have a thoroughly English feeling with respect to the Irish gentry. Froissart¹ expresses it about the *Irrois* at this very time in a metropolitan scorn, characteristic of society in London and Paris in all ages, of men who sought to associate with gentlemen without dressing conventionally for dinner. The exile doubtless saw King Richard in 1394 when he landed at Waterford and made that town his headquarters for some weeks, but neither kings nor others in authority have ever been particularly sympathetic with followers or dependents who may have fallen under the ban of the law, even in their own service. This is one of the distressing weaknesses of human nature, which

¹ *Chroniques*, xi, 24. Here we find the entertaining account the squire Henry Castide gave Sir John of his school of etiquette for the four Irish kings, in compliance with King Richard's direction that they should be taught the manners of English gentlemen. There were three rules he prescribed for them: they must always wear breeches at dinner, they must not make grimaces at table, and they should not permit their servants to sit beside them or to eat from their plates and drink from their cups.



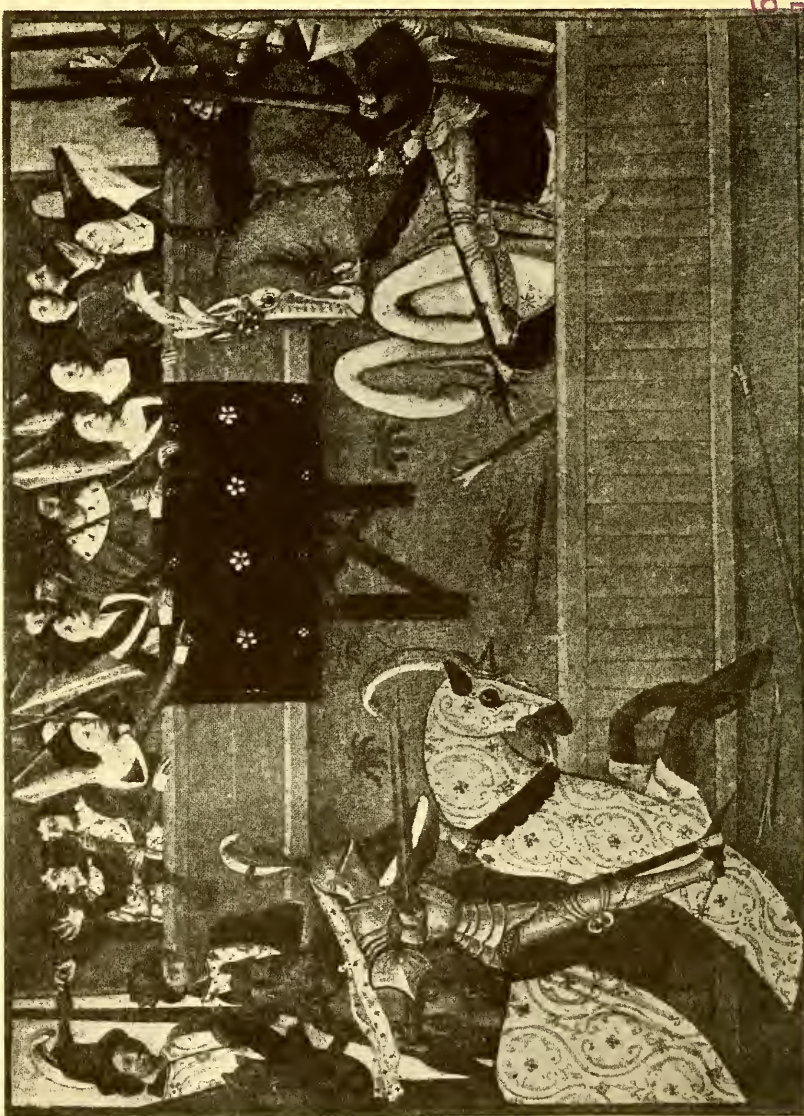
makes exceptions to the rule so admirable and so conspicuous.

When death came it was doubtless welcome: we can imagine the late Chief Baron closing his eyes to a vision, not of his discarded ermine, but of his bonny son Robert, then growing to manhood, and of the pleasant Devonshire landscape one can see to-day from Cockington Court, which to him was home.

John Cary died at Waterford, "on Friday before the feast of Pentecost," 1395.¹

¹*Inq. p.m.*, 20 Rich. II, No. 127, quoted by Vivian, 150, on his transcription of the Visitation of 1620. Dymond postpones the date of death until 1404, but does not give his authority. He is clearly contradicted by *Rot. Parl.*, iii, 346, which enumerates the exiled judges living in September, 1397.

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THE JOUST AT SMITHFIELD



CHAPTER SIX

THE JOUST AT SMITHFIELD

Out of the wreck of the Chief Baron's family¹ there appears distinctly in the eighth generation

¹ *The Chief Baron's younger children.* There is a persistent Devon tradition that the Chief Baron left "a numerous issue." This was first recorded by John Vowell *alias* Hooker (1526-1601), the uncle of the theologian Richard Hooker, in his *Antique Description and Account of the City of Excester*, and was repeated by Richard Izacke (1624-1698) in his *Remarkable Antiquities of the City of Excester*. Specification is wanting. In addition to Robert, who is well authenticated, the Visitation of 1620 records only sons John and Thomas, and Mr. Dymond has found "obscure traces" of another, Hugh (the Courtenay name). Of neither of the two last named is anything definite stated. Of John (or James, as he is sometimes called) the tradition is that he was an ecclesiastic, and became Bishop of Exeter in 1419. Fuller (*Worthies*, 1840, i, 406) says that he was made Bishop of Lichfield by Pope Martin V and went to Florence to be invested; while there news came that there was a vacancy in the see of Exeter, and Cary, desiring to live in his own county and "being very gracious with his Holyness at that time," was translated to Exeter; but within six weeks of his investment he died and was buried at Florence, "nor did he sit a minute in his episcopal throne." A modern authority, Dr. Oliver, in his *Lives of the Bishops of Exeter*, holds this traditional story to be fabulous for want of evidence. There have been indeed two bishops of Exeter of the name, but curiously neither was of the Devon family. (For Bishop Valentine Carey, 1569-1626, see *post*, p. 357; and for Bishop William Cary, 1770-1844, see *H. & G.*, vi, 479.)

How far some of the Carys went down in the world after the attainer of the Chief Baron may be indicated by the fact that a Philippa Cary (the name of the Chief Baron's grandmother) was



only his son Robert Cary¹ of Cockington (1377?-1430?), whose part it was to redeem and reinvigorate the family fortunes. During the period of his father's exile we can see him much at Clovelly under the eye of his uncle William Cary, for he was the hope of carrying on the family name, upon whom every family effort was centred. Not only did that childless old man plan to leave to him his own manor of Clovelly and other estates, but upon the death of the boy's father in 1395 he set busily about securing for him the restoration of a portion at least of the forfeited property of the unfortunate Chief Baron. There is still in existence among the Tor Abbey muniments a charter of Richard II dated at Windsor Castle, September 9, 1396, by which under the great seal, a part of which sur-

a domestic servant in Plymouth in 1672 and was hanged for poisoning her mistress, the wife of a dyer. (See Baring-Gould, *Devonshire Characters*, 292.) It was a case like that of *Tess of the d'Urbervilles*.

If descendants of some of the anonymous younger sons of the Chief Baron may have sunk low, others may have risen to new dignity. In the seventeenth century two families of Cary had so established themselves elsewhere as to display by tradition the arms of Cary of Devon, viz., at Bristol and Guernsey; but no definite genealogical link has been proved for either of them. Their recorded dates admit in each instance of their having been derived from the nameless "numerous issue" of this generation. (See *post*, pp. 494, 688.)

¹ In the Visitation pedigree of 1620, followed generally by the Devon historians, he is styled Sir Robert Cary, but there is no evidence that he was ever knighted. On the contrary, in a surviving document, dated as late as 1 Henry VI, he is specifically designated "Squyer." (Historical MSS. Commission *Report*, iv, 83.)



vives, there is assigned to Robert Cary, Esq., for life, a part of his father's forfeited estate, including the manor of Puddington and three parts of the manor of Northlew.¹ To this was added the patrimonial manor of Cary, preserved from utter forfeiture by the entail,² and when William Cary died, Clovelly also.

Upon this foundation Robert Cary married, 1397, into a great Devon family. His bride was Margaret, daughter of Sir Philip Courtenay of Powderham Castle, the fourth son of the second Earl of Devon of that ilk, and brother to that Archbishop of Canterbury who was Wycliffe's opponent and had saved the lives of the judges.³

Margaret Courtenay's grandmother, after whom she was named, was Margaret Bohun,⁴

¹ *Cal. Tor Abbey Mun., H. & G.*, vi, 14.

² See *Cary v. Cary*, Placita de Banco, Mich. 7 Hen. VII, cited in *The Genealogist*, 1907, xxiv, 106.

³ The distinction of Courtenay as a family may be summed up in the fact that "the purple of three emperors who have reigned at Constantinople" tempted Gibbon, by way of digression from his lofty theme, to discourse upon "the origin and singular fortunes of the house of Courtenay in the three principal branches, of Edessa (on the Euphrates), of France and of England." (*Decline and Fall*, chap. lxi.) It is a thoroughly characteristic passage, salt and sapid, and should be reread annually (with DeFoe's *True-born Englishman*) by every genealogist who has a sense of humor. The younger branch of Courtenay, with which Cary of Cary was allied, was, in 1762, raised to the peerage as Viscount Courtenay of Powderham Castle. In 1831 the earldom of Devon of the creation of 1553 was recognized by Parliament to be vested in this family, so that the present Courtenay of Powderham is known as the fourteenth earl of Devon.

⁴ *W. M. Cary Notes* has a calendar of the will of Margaret de Bohun, Countess of Devon, dated January 28, 1390, by which she



a granddaughter of Edward I and by marriage related to Henry of Bolingbroke, afterwards Henry IV; a family connection which gives us the clew to the politics and fortunes of the Carys during the century to come. A more immediate effect of this marriage was, apparently, for a time, to take Robert Cary out of the influence of lawyers and men of business in which the family had flourished and translate him into an atmosphere of chivalry and the tradition of feats of arms as the only proper occupation of a gentleman, a sentiment which is breathed by the very names of Bohun and Courtenay. He took little education in books: the Visitation of 1620 describes him as not learned but "a valiant and courageous gent." And so he fitted himself for the adventure which was not only to redeem for him more of his father's estates, but to bring him the friendship of the most glorious member of the royal house of Lancaster. The heralds who made the Visitation of Devon of 1620 tell the traditional story:

This Robert, son of Sir John his father, was no better learned as he, but a valiant & courageous gent: & served in the Court under the prince who after the death of his K. Henry 4 was also King by the name of King Henry 5. In his time cam out of Arragon a lusty gentleman into England & challenged to do feites of arms with any English gentle-

left Powderham to her fourth son Sir Philip Courtenay and "a Margarete fille a mon fitz Philip de Courtenay c marks en aide de son mariage."



man without exception. This Robert Cary hearing thereof made suit forthwith to the prince that he might answer the challeng, which was granted, & Smithfield was the place appointed for the same; when at the day and time prefixed both parties mett & did performe sundrie feates of armes, but in the end this Robert gave the foiles & overthrow to the Arragon Kt. & disarmed & spoiled him: which his doinge so well pleased the prince that he received him into great favor, caused him to be restored to the most part of his father's landes & willed him also for a perpetual memorial of his victorie he shd. thenceforth give the same armes as did the Arragon Kt., which both he and all his successors to this day enjoyed, which is *on a bend sable three roses argent*, for before they did beare *gules, chevron entre three swans argent*.¹

What visions are conjured for us by the quaint language of the old heralds! We can see the lists set up in that open area outside the walls of London, known as Smithfield (said originally to have been Smooth-field), long dedicated to public spectacles. Here Bartholomew Fair, with its acrobats and miracle plays, was held for ages; here William Wallace suffered in 1305; here Wat Tyler was slain in 1381; here, later, martyrs for religion died at the stake; and here were tournaments so frequently held that the road leading into it is still known as Giltspur Street. After the days of chivalry Smithfield became the place where cattle were bought and

¹This picturesque story was a favorite with all the early historians of Devon, and is given at length by Westcote (428), and by Prince (178) and Risdon (149), both of whom follow Westcote's elaborations, even to his Virgilian quotation.



sold, and there we now find the modern market, which is one of the sights of London; but the ancient church of St. Bartholomew the Great still looks down upon the place as it did when young Robert Cary won his spurs.

Froissart leaves us a living picture, such as Carpaccio might have put on canvas a century later, of the great ceremonial tournament held at Smithfield in 1397 by Richard II in honor of the arrival from France of Isabella his child-queen:

Accordingly when Sunday came, about three o'clock, there paraded from the Tower of London, which is situated in the Square of St. Catharine on the banks of the Thames, sixty barbed coursers ornamented for the tournament, and on each was mounted a squire of honour. Then came sixty ladies of rank mounted on palfreys most elegantly and richly dressed, following each other, every one leading a Knight with a silver chain, completely armed for tilting: and in this procession they moved on through the streets of London, attended by numbers of minstrels and trumpets to Smithfield.¹

This tournament was a mere athletic performance with blunted lances, but from time to time there was sterner fighting at Smithfield, the contests called *Challenges*. Such was the feat of arms of Robert Cary against the Knight of Aragon. In Stow's *Survey of London* are descriptions of two such encounters at a somewhat later period, which will serve to bring the details of

¹Froissart (Johnes translation), ii, 4.



this joust to our vision; the first is, indeed, so close a parallel even to the introduction of a knight of Aragon¹ that by changing the name of the squire and of the king we might adopt it for a description of Robert Cary's own adventure:²

In the year 1442, the 20th of Henry VI, the 30th of January, a challenge was done in Smithfield, within lists, before the King, there being Sir Philip la Beaufe of Aragon, Knight, the other an esquire of the King's house, called John Ansley or Anstley: they came to the field all armed, the Knight with his sword drawn, and the esquire with his spear, which spear he cast against the Knight, but the Knight avoided it with his sword, and cast it to the ground; then the esquire took his axe and smote many blows on the Knight, and made him let fall his axe, and brake up his uniber three times, and would have smote him on the face with his dagger for to have slain him, but then the King cried "Hold," and so they were departed. The King made John Ansley Knight, and the Knight of Aragon offered his harness at Windsor.

In the year 1467, the 7th of Edward IV, the Bastard of Burgoine challenged the Lord Scales, brother to the Queen, to fight with him both on horseback and on foot: the King, therefore, caused lists to be prepared in Smithfield, the length of one hundred and twenty tailor's yards and ten feet, and in breadth eighty yards and twenty feet, double barred, five feet between the bars, the timber work whereof cost two hundred marks besides the fair and costly galleries prepared for

¹ The Spanish knights of the fourteenth and fifteenth century were the very mirror of errant chivalry and prowess. Doubtless a succession of them came to England as to other courts of chris-tendom to challenge renown in the lists. Doubtless also some of them prevailed over Englishmen, but we cannot expect the English heralds to record those occasions.

² Stow (Everyman edition), 341.



the ladies and others, at the which martial enterprise the King and nobility were present. The first day they ran together with spears and departed with equal honour. The next day they tourneyed on horseback, the Lord Scales horse having on his chafron a long spear pike of steel: and as the two champions coped together the same horse thrust his pike into the nostrils of the Bastard's horse, so that for very pain he mounted so high that he fell on the one side with his master, and the Lord Scales rode about him with his sword drawn, till the King commanded the marshal to help up the Bastard, who said, "I cannot hold me by the clouds, for though my horse fail me I will not fail an encounter companion"; but the King would not suffer them to do any more that day. The next morrow they came into the lists on foot with two pole-axes and fought valiantly; but at the last the point of the pole-axe of the Lord Scales entered into the side of the Bastard's helm and by force might have placed him on his knees, but the King cast down his warder and the marshal severed them. The Bastard required that he might perform his enterprise but the King gave judgment as the Bastard relinquished his challenge.

On the occasion of Robert Cary's tourney it may profit us to turn for a moment from the principals to look among the spectators.

First, there is the king, himself as gallant a knight as ever rode into the lists. As he sat in his pavilion this day with his warder in his hand his blood was warm with memories of his own experiences in the tiltyard, as when in 1386 as Earl of Derby he bore away the honors at a "great riding" in this very Smithfield, or when in 1398 as Duke of Hereford he entered the lists



at Coventry prepared to defend his honor to the death against the Duke of Norfolk, to uphold the knightly fame of Bohun against that of Mowbray. "Hereford made with solemnity the sign of the cross. Norfolk exclaimed: 'God speed the right.' The former, pushing forward his shield and fixing his lance in its rest with the point towards his adversary, advanced a few paces; the latter remained motionless at his station; and the king, throwing down his warder, took, in the language of the age, the battle into his own hands."¹

Beside the king, as he meditated on that fateful day only four years before, which turned Henry of Bolingbroke into the king of England, sat his eldest son, who was to be the conqueror at Agincourt, but at the moment in the full tide of the *jeunesse orageuse* which found a chronicler to endear him to millions to whom his father is little more than a lay figure.

Behind the king stands the chief justice, Sir John Gascoigne, whose natural courage of opinion and steadfast respect for the law of England had doubtless been stiffened by what had happened only a few years before to those who sat on the bench and yet yielded to the blandishments of expediency. He is whispering in the

¹Lingard, iv, 253. It has been shrewdly suggested that this act of Richard II did much to render him unpopular with his sport-loving subjects, who had crowded to the lists in the expectation of seeing a real fight between two real men.



king's ear a warning of the tales he hears of handsome Ned Poins, the Prince Hal's boon companion, who stands jauntily by with carefully controlled gravity, casting keen and searching glances among the crowd. At last Poins finds what he is looking for. An elderly squire from the country has pushed his way into the tiltyard and is being roughly handled by the marshal's men, to the huge delight of a group of soldiers who hang upon the railings and make sport of all they see, as modern men do at a horse show. Poins recognizes his acquaintance Lieutenant Peto and a white-livered rogue with a mouth full of rhodomontade and fantastic scraps of old plays, whom he knows as Antient Pistol. With them is a malmsey-nosed corporal named Bardolph. But the centre of the group is a cheerful fat knight whom all London knows as Prince Hal's more or less disreputable friend "sweet Jack Falstaff, kind Jack Falstaff, true Jack Falstaff, valiant Jack Falstaff, and, therefore, more valiant being, as he is, old Jack Falstaff." When the tourney is over and the king's ceremonial and paternal back is turned, Prince Hal calls out to this tun of man: "I do now remember the creature small beer,"—a challenge which is soon after met over a supper upon a cold capon, followed by anchovies and sack, at the Boar's Head Tavern in Eastcheap.

Although a modern antiquarian has trium-

phantly disproved a detail¹ of the Visitation heralds' story of Robert Cary's joust at Smithfield, the dry but sure records of real-estate transfers enable us to confirm the substance of it. In the first place we can fix the date of this encounter as 1402, for in that third year of Henry IV we find in the Rolls of Parliament² a petition of "Robt. Cary fitz & heir a John Cary" for the restoration to him of the forfeited manors "de Torryton & Kokyngton en le conte de Devenshyre," which still remained in the king's hands. And such restoration the king was thereupon pleased to order, as the heralds of 1620 report.³

¹Mr. Dymond has shown conclusively that whatever may have been the chivalric decree as to the arms of the Knight of Aragon, Robert Cary did not then assume the arms which the Carys have ever since borne, but had *inherited* them, for they are the arms upon the seal which the Chief Baron attached to his marriage settlement in 1357.

²*Rot. Parl.*, iii, 484.

³There are various records in *Cal. Rot. Pat.* (217, 218, 227, 238, 241 and 245, all calendared by Dymond, *H. & G.*, vi, 18) of the disposition by Richard II and Henry IV of the estates *nuper Joh'is Cary attincti*. How most of them ultimately came back to Robert Cary may be illustrated by the case of Cockington. In the inquisition on the death of Philip Cary in 1437 (*Inq. p.m.*, 16 Hen. VI, c. 53) it is recited that "the King, by his letters patent, granted the manor aforesaid to John, late earl of Huntingdon, after whose death it was seized into the King's hands and was granted to Sir Robert Chalons, Knight: afterward John Cary died: after whose death Robert Cary, son and heir of the aforesaid John produced a writ *de forma donacionis in descendere* as to the moiety against Sir John Chalons and recovered seizin, and in the same form recovered the other moiety and afterwards Robert Cary continued in possession during his whole life and died thereof seized."

After recovering his estates, in accordance with the practice of the time, Robert Cary enfeoffed three trustees of his property in order to secure the interest of the children of his wife Margaret Courtenay. When she died and Robert married again about 1414

Of what Robert Cary did during the five years after the joust at Smithfield there is no historical record, but the heralds of 1620 have told us that he "served in the Court under the prince," and so we can see him following the person of Prince Hal during the anxious times of the conspiracy of the Percies and the revolt of Glendower in Wales. Being an approved fighting man, he was of course present at the battle of Shrewsbury in 1403, one of that company of the prince, of whom Shakespeare has painted the portraits, making ready for the fray:¹

All furnished, all in arms:

All plumed like estridges that wing the wind;
Bated like eagles having lately bathed;
Glittering in golden coats, like images;
As full of spirit as the month of May,
And gorgeous as the sun at midsummer;
Wanton as youthful goats, wild as young bulls.
I saw young Harry, with his beaver on,
His cuisses on his thighs, gallantly arm'd,
Rise from the ground like feathered Mercury,
And vaulted with such ease into his seat,
As if an angel had dropped down from the clouds
To turn and wind a fiery Pegasus,
And witch the world with noble horsemanship.

the transfers from the trustees for the first wife to those of the second show that Robert then owned the manors of Holweye, Cary, Rymbeare, Finnes, Herethorn, Sheepwash, Lutterford, Lyme-don, Heghen, Bowedon, Monkokehampton, Brygge, Smithcote, and Wrey, all in Devon, and an estate at Launceston in Cornwall. These transactions did not include Cockington, Torrington, and Clovelly, of which he was also seized. The indentures are among the Tor Abbey muniments.

¹ 1 *Henry IV*, act iv, sc. 1.



Our next record of Robert Cary is that he was returned as a knight of the shire for Devon in 1407 and thenceforward sat continuously in successive Parliaments (1407-1413) to and including the last of Henry IV and the first of Henry V.¹ The accession of his friend and patron as Henry the Fifth did not bring him the fate of poor old disreputable Jack Falstaff: on the contrary, we find that one of the earliest acts of the new king was to appoint him to the lucrative office of escheator for Devon and Cornwall.²

We would naturally expect one of the age and martial reputation of Robert Cary to have followed in arms when

Owre Kynge went forth to Normandy
With grace and myzt of chivalry,

and so to have had the immortal honor of being present at the field of Agincourt, but it does not appear that he did so: perhaps he may have been physically disabled by the Knight of Aragon for all that he was the conqueror; or perhaps (what, alas, seems more likely in view of Robert Cary's cold historical record in the strict tradition of his

¹*Return of Members of Parliament*, 1879. For the record of these Parliaments see Stubbs, *Constitutional History*, iii, 64 ff.

² Henry V succeeded March 20, 1413, and the oath as escheator was administered to Robert Cary by the Bishop of Exeter November 18 of the same year. (See calendar of episcopal register at Exeter in *W. M. Cary Notes*.) Robert Cary was still acting as escheator in 1416. (See *Rot. Parl.*, iv, 100.) This was one of the offices held also in Virginia in the seventeenth century by our immigrant Miles Cary.

family as a magistrate and Parliament man rather than as a warrior) there is no truth whatever in the old story about the joust at Smithfield. At all events, Robert Cary's only contribution to the Agincourt campaign was a liberal loan to the king.¹ After an interval in his Parliamentary service, Robert Cary returned to the House of Commons in 1417, and thenceforth sat continuously still as knight of the shire, up to 1425, or until, after the death of Henry V, the Wars of the Roses had already begun to brew in the rival ambitions of the uncles of the baby Henry VI.

Robert Cary's first wife, Margaret Courtenay, had died before 1413, leaving him a son and heir to carry on the name with an infusion of the blood of Bohun and Plantagenet. He married

¹Sir Harris Nicolas (*Battle of Agincourt*, 1832) has collected the names of all who took part in the campaign. Robert Cary's name is not included, but we do find (Nicolas, *Appendix 14*) in the record of the moneys raised by Henry V for the expedition a subscription by corporations and gentlemen of Devon secured by the pawn of "a large Tabernacle of silver gilt, garnished with gold, which belonged to the Duke of Burgundy." The subscriptions to this early underwriting syndicate were:

The Dean and Chapter of the Cathedral of Exeter	100 marks
Mayor and Commonalty of Exeter.....	100 "
John, Abbott of Tavistock.....	100 "
John, Prior of Plympton.....	100 "
John, Prior of Launceston	100 "
William, Abbot of Buckfast.....	100 "
Robert Cary, Esqr.....	100 "
Alexander Champernoune, Esqr.....	60 "
John Bevyte, Esqr.....	60 "
John Copleton, Esqr.....	10 "
Mayor and Commonalty of Plymouth.....	30 "

There is other evidence of this transaction in the Bishop of Exeter's archives. (Historical MSS. Commission, *Report*, iv, 83.)

again during that year Joan (or Jane), described by the Visitation of 1620 as "daughter of Sir William Hankford, Kt.,¹ and widow of Wadham," who survived him many years.²

The date of his death does not definitely appear, but he did not attain the age of fifty. He is recited as already dead in 1437.³ We have fixed the date as 1430 because he sat in the Parliament of 1425 and his son sat in his stead in 1433, while we have a final glimpse of him witnessing a charter of Hartland Abbey in 1428.⁴ He left as his successor an only son by his first wife Margaret Courtenay.

PHILIP CARY of Cockington (1400?–1437), of the ninth generation, has left a brief record.

¹ Sir William Hankeford was a cadet of the Devon family of Hankeford of Bulkworthy which absorbed the tradition of the Stapeldons of Stapeldon with whom the Carys had early intermarried. We have already met him in one of the last phases of the trial of Richard II's judges. (See *ante*, p. 101.) He was himself a judge under Henry IV and became chief justice under Henry V. Holinshed (iii, 299) protracts his life until 1470 and tells a romantic tale of his death, but he seems to have died in 1422. His granddaughter was Countess of Ormonde and grandmother of Mary and Anne Boleyn. (See also Foss, *Judges of England*, 325; and Risdon, *Survey of Devon*, 71.)

² See *Inq. p.m.*, 27 Hen. VI (1449), c. 23.

³ *Inq. p.m.*, 16 Henry VI, c. 53.

⁴ On April 13, 6 Henry VI (1428), John Dynham, lord of the manor of Hertland and descendant of the refounder of the ancient abbey of that name, situate in the near neighborhood of Clovelly, sealed with the Abbot a *concordia* as to his patrimonial rights with respect to the foundation. The witnesses were Lacy Bishop of Exeter, Thomas Earl of Devon, Philip Courtney, Richard Hankford, and Robert Cary, a family party. (See Oliver, *Monasticon Exoniensis*.)

He appears in history only for a moment as knight of the shire for Devon in the Parliament of 1433.¹ There was a Cary admitted to Lincoln's Inn in 1423; he may have been that one. He was a contemporary of Jeanne d'Arc and in Parliament voted confidence in the Duke of Bedford who had approved the sentence by which the Pucelle was burned at the stake in Rouen in 1431. During 1422 Philip Cary married Cristina,² daughter and ultimately heiress of William Orchard, of the Somerset

¹ After this Philip no true Cary of Devon sat in the House of Commons until Robert of Clovelly went to the first Parliament of Mary in 1553, which may serve as an index of the family attitude towards the Reformation. In this statement we do not take account of the Parliamentary service, *temp.* Edward VI, of Henry Carey, afterwards first Lord Hunsdon.

² *What befell at Ladford on the feast of St. Andrew, 1408.* The fortune of Philip Cary's wife, Cristina Orchard, was the occasion for preserving to us (*Inq. p.m.*, 1 Hen. VI, 1422, c. 78) a most interesting glimpse into the everyday life of Devon at the beginning of the fifteenth century. It seems that William Orchard died holding the manor of Ladford in Devon *in capite* of Henry V and leaving two children, a son Richard and the daughter who became the wife of Philip Cary. In 1422 the son died under age, the king's ward, whereupon it became necessary to prove his sister's age to determine her husband's right to enter upon the inheritance. It appears that although already married, she was then only in her fifteenth year. The depositions which were taken before the escheator to prove this fact are themselves "a slice of real life," viz.:

"Thomas Dynneworthy deposes that the said Cristina was born at Lodford, and baptized in the church of St. Michael of Shebbeare; that she was 14 years and upwards, on the feast of St. Andrew the Apostle last past; well remembers the same, for that his son John died of the plague on the day of her baptism.

"John More, aet. 51, remembers, &c., for that he was parish clerk of the said church, and held the book in his hand at the time of her baptism.

family of that ilk, and died on "Sunday, the feast of S. Tecla the Virgin," 1437,¹ leaving a son and heir who was to achieve the second attainder in the family.

"William Drygman, aet. 45, &c., for that his daughter Margaret was married to John Hesill the same day.

"John More, Junior, aet. 43, saw Joan Ermute, the god-mother, give 6s. 8d., &c.

"William Seller, aet. 50, that there was a heavy storm of wind that day and that the people of Lodford had much injury done to their houses thereby.

"Henry Buryman, aet. 44, carried basin with lavacrum from Lodford manor to the church that day.

"Thomas Lylbere, aet. 42, that his wife was asked to be wet nurse to the said Cristina.

"Hugh Buryman, aet. 60, remembers, &c., for that in that year many men died.

"William Lake, aet. 49, remembers, &c., for that on that day his wife brought forth a son Robert, who immediately after his baptism on that day died.

"Richard Bury professed on that day in the order of friars in the conventual house of friars at Exeter.

"Richard Rowden, aet. 46, fell from his horse and broke his right arm, &c.

"John Wothuel, aet. 40, a great tempest at sea on that day, when his ship, the Katherine, sunk, and all was lost except the men."

We have a final glimpse of Cristina Cary living at Cockington as a widow in October, 1437. (*Inq. p.m.*, 16 Hen. VI (1437), c. 53.) According to the Visitation of 1620, she married one James Portman for her second husband. For the various branches of the Orchard family see Collinson, *Somerset*, iii, 274, 488.

¹ *Inq. p.m.*, 16 Hen. VI, c. 53. In the Visitation of 1620 he is entered as "Sir Philip Cary, Knight," but this is not borne out by the record of the inquisition on his death, which describes him simply as *armiger*.



CHAPTER SEVEN

THE LIEGEMAN OF THE RED ROSE

SIR WILLIAM CARY of Cockington (1437-1471), son of Philip Cary, is the first of his family who has left exact evidence of the date of his birth, and for good measure there are three proofs that he was born on August 12, 1437.¹ The next surviving records of him are among the Tor Abbey muniments in the account rolls, from Michaelmas 26 to Michaelmas 28, Henry VI (1447-1449), of Thomas Glanvyle, bailiff "*durante minore etate*," of William Cary's manors of Northlew and Halghewile. On September 20, 1457, the year before he comes of age, he charged an annuity of 20 shillings upon East Holway.

At some time prior to his majority he married Elizabeth, daughter of Sir William Paulet of Hinton St. George, co. Somerset, and there at his maternal grandfather's house his eldest son was born. His wife may have died in childbirth, but at all events she was dead in 1458, when it

¹ *Inq. p.m.*, 16 Hen. VI (1438), c. 53, on the death of his father; 27 Hen. VI (1448), c. 23, on the death of his grandfather's widow; and 35 Hen. VI (1458), c. 30, when he himself came of age.

appears that William Cary had already married his second wife Alice,¹ daughter of Sir Baldwin

¹ *Sir William Cary's two marriages.* There is no positive evidence of the dates of these marriages. There is extant a deed (*Cal. Tor Abbey Mun., H. & G., v, 16*) dated October 20, 1458, by which William Cary, within three months after coming of age, grants his manor of Cary and certain other lands to Sir William Paulet and others, followed by a re-grant to William Cary and Alice, his wife. This re-grant is witnessed by Sir Baldwin Fulford, who was Alice's father, and was doubtless a marriage settlement. Because of the fact that William Cary, later, on July 16, 1464, enfeoffed Sir William Paulet and eight other trustees with all his Devonshire and Cornish property (*Cal. Tor Abbey Mun., H. & G., v, 16*), it has been claimed that Alice Fulford was William Cary's first wife and Elizabeth Paulet his second: the argument being that the deed of July 16, 1464, must have been Elizabeth's marriage settlement. On the other hand, the Visitation of 1620 and that of 1564 both clearly assert that Elizabeth Paulet was the first wife. The question has a certain interest even in the twentieth century, as the Carys of Tor Abbey and Follaton are descended from Elizabeth Paulet, and the Carys, Lords Falkland, are descended from Alice Fulford: which is the head or "principal branch" of Cary of Devon depends upon the order of marriage of William Cary's two wives. In 1907 the question was submitted to Mr. Ashworth P. Burke, the editor of *Peerage*, who held: "After reading the evidence cited, I confess I agree with the accepted version that Anne (*sic*) Paulet was the first wife and Alice Fulford the second, as given in the Visitation of Devon 1564 and elsewhere. . In disproof of the statement as to the date of marriage of Elizabeth Paulet (claimed to be 1464) I would point out that Alice was the wife of William Cary 20th November, 1458, according to the deed of that date, was still his wife on 12th October, 1466, at the date of the inquisition taken after his attainder, and, according to the claim of John Anthony, was alive in 1488 long after his death in 1471. This would make it impossible that Sir William married Elizabeth Paulet in 1464, or, indeed, after 20th November 1458. It is true that he was only 21 in 1458, for his birth (12th August 1437) is amply proved by the Inq. p.m. of his father Philip in that year. However, early marriages were the rule in those days, and it is by no means impossible that he was married to Elizabeth Paulet in his minority and had a son and heir by her, Robert, who obtained the reversal of his attainder in after years. It seems to me that the very full pedigree of the Cary family entered in the Visitation of 1620 ought to be made the basis of all research into the history of the family before that year."

A

Fulford,¹ of Fulford Magna, and Elizabeth Bosun, his wife. He was knighted also soon after his majority, for there still exists a lease

In support of Mr. Burke's opinion it may be argued from its date that the trust deed of July 16, 1464, was not a marriage settlement at all but a palpable and, as it proved, an unsuccessful attempt on the part of Sir William Cary to avoid the consequences to his family of the fatal politics in which he was already involved. Sir William Paulet was a party to it on behalf of his grandson, not his daughter.

The device of an enfeoffment to one's own use, or that of one's heirs, was introduced into England by the civilians, *temp.* Edward III. "During the civil commotions between the houses of York and Lancaster," says Blackstone (ii, 20), "uses grew almost universal, through the desire that men had (when their lives were continually in hazard) of . . . securing their estates from forfeiture, when each of the contending parties as they became uppermost alternatively attainted the other." In the state of the law at the time the device was often proof against attainder, provided the enfeoffment was made before the overt act of treason. In Sir William Cary's case he apparently acted too late.

¹ The Fulfords of Fulford Magna, Devon, have the distinction of having been seated not only in the same county but on the same land for more than eight hundred years. (See Burke, *Landed Gentry*, 1914.) Sir William Cary's father-in-law, Sir Baldwin Fulford (1400?-1461), was a picturesque worthy of Devon. In his youth he went to sea and seems to have reached Jerusalem, where he became a Knight of the Holy Sepulchre: there he vanquished a Saracen in a manner to have won a place in Tasso's page. It was not, indeed, he who sang:

"A giant I, Earl Ordulf men me call,
'Gainst Paynim foes Devon's champion tall;
In single fight six thousand Turks I slew,
Pulled off a lion's head, and ate it too,"

but Prince certifies, with one of his most delightful sallies, that Sir Baldwin's Saracen "for bulk and bigness [made it] an unequal match, as the representation of his act in the wainscot in Fulford Hall doth plainly show." The evidence persists. Describing Fulford House in the nineteenth century, Mr. Baring-Gould (*A Book of the West*, i, 77) says, "In the hall is some superb carved panelling, early Tudor."

Sir Baldwin was a stout Lancastrian, attached particularly to the interest of Queen Margaret. To her he proposed, according to Stow's *Chronicle*, that he should make away with Warwick in

dated October 2, 1462, in which he is described as "Sir William Cary, Knight," and so he appears henceforth in all documents in which he is named.¹

single combat: there was, indeed, preserved in the Bristol Museum what purported to be (doubtless it was one of Chatterton's forgeries) a bond which he gave to Henry VI to accomplish this project or forfeit his own head. (Barrett, *History of Bristol*, 1789, 220.) He was arrested for treason by Edward IV, who at Bristol on September 9, 1461 (*Rot. Parl.*, 8 Edw. IV), exacted the penalty of the bond on his own account. In Chatterton's *Rowley's Poems* there is a spirited ballad on Sir Baldwin's fate, called *The Bristowe Tragedie*. Sir Baldwin is there represented to have suffered, undaunted, with noble sentiments of loyalty to his king and resignation to death. The dramatic moment is when the king "att the grete mynsterr wyndowe sat" to gloat over the victim as, in the midst of a procession of minstrels, priests, archers and citizens, he was drawn by to his execution. Whereupon Sir Baldwin

"dydd stande uppe

And thus hys wordes declare:

"Thou seest mee, Edwarde, traytor vile!

Expos'd to infamie:

Butt bee assur'd, disloyall manne!

I'm greater nowe thanne thee."

"Kynge Edwarde's soule rush'd to hys face,

Hee turn'd hys hedde awaie,

And to hys broder Gloucester

Hee thus dydd speke and saie:

"To hym that soe-much-dreaded dethe

Ne ghostlie terrors brynge,

Behold the manne! hee spake the truthe,

Hee's greater thanne a Kynge."

But the cooler and more cruel Gloucester, true to his character, thought otherwise:

"Soe lett hym die!" Duke Richard sayde:

'And maye echone oure foes

Bende downe theyre neckes to bloudie axe

And feede the caryon crowes."

¹ Perhaps he was one of the thirty followers of Queen Margaret who were knighted, with the Prince of Wales, after the second battle of St. Albans, in 1461. See Strickland, *Queens of England*, i, 588.



It is evident that he was already launched on the stormy sea of politics which was to bear him to his ruin. He risked his all for the House of Lancaster at the very beginning of the Wars of the Roses. The explanation is not far to seek. His Courtenay blood made him of kin to Lancaster in a feudal age when kinship, however remote, carried an obligation of partizanship. The tradition of his immediate family was all of gratitude to the son of Henry V for the opportunity his father had given Robert Cary to redeem the family from disaster. The Fulfords, his father- and brother-in-law, were Lancastrians. All these considerations were compelling and had nothing to do with the right or wrong of the quarrel; for although Lancaster had now been seated on the throne for three generations, it was not seated of right; all the merely legal arguments on that score were in favor of the White Rose. But perhaps William Cary's decision was only a natural consequence of his having early become a member of the court of Queen Margaret of Anjou. Youth counts as nothing the merits of a controversy in which the imagination is enlisted by association with those one is taught to respect, and dazzled by that splendid bauble loyalty, is willing to risk all for an ideal. But whatever the motive, when civil war came we find Sir William Cary an active liegeman of the Red Rose.



Margaret of Anjou came to England and was crowned queen of Henry VI in 1445. At an early age—how early we do not know—William Cary became a member of her household. Perhaps he was a page.¹ His introduction to court was apparently due to the patronage of Edmund Beaufort,² second Duke of Somerset, the nearest male relative of Henry VI and head of the junior branch of the House of Lancaster, whom we meet in the Temple Garden at the famous quarrel with Richard Plantagenet, in which the red and the white roses were plucked as symbols of the parties in the civil wars then imminent.³

And so William Cary grew from boyhood to maturity in the very midst of the stirring and confused events which led to the Wars of the Roses; the loss of England's empire in France; the baleful power of William de la Pole, Duke of Suffolk, who had arranged Queen Margaret's marriage to his own ultimate ruin; the rise of the House of York founded upon the support of the city of London; Jack Cade's rebellion; the increasing evidences of the incapacity of the

¹The petition of Sir William Cary's son Robert to Henry VII for restoration of his father's property recites that his father had been in the service of Queen Margaret and Prince Edward a "long tyme before and after" 1465.

²In *Rot. Parl.*, v, 511, we find William Cary recited immediately after the cadets of that family among the followers of Henry Beaufort, third Duke of Somerset.

³Shakespeare, 1 *Henry VI*, act ii, sc. 4.



king; the spirited but injudicious and unpopular attempts of Queen Margaret to steer the ship of state with the aid of the Beauforts;¹ and finally flagrant war beginning at the battle of St. Albans in 1455, at which the second Duke of Somerset lost his life.

What part William Cary bore in the public events of the next few years we do not know. He was still a mere boy, but it was during this period that he succeeded in marrying two wives of good estates, an exhibition of industry and providence which goes far as evidence to support the claims of the historians that everyday life was not suspended during these years of battle, murder, and sudden death. Perhaps in 1460 and 1461 he was with the young Duke of Somerset, his contemporary, at the Lancastrian victories of Wakefield and second St. Albans, and perhaps also at Towton, when Edward IV made good, by his own generalship, his seat on the throne, the achievement which was credited as the first exhibition of the Earl of Warwick's ca-

¹ Gregory's *Chronicle* (in the Camden Society *Collection of a London Citizen*, p. 208) well describes Margaret's relation to affairs in England: "all the workings that were done grew by her, for she was more wittier than the King, and that appeareth by his deeds."

Even if one regards this lady as the original of the Red Queen in *Alice in Wonderland*, the "pestilential woman" who was responsible for all the woes of the English gentry in her generation, the incarnate Fury of the civil wars, one cannot but admire her courage and pity her misfortunes. And yet so deeply is our estimate of her colored by Shakespeare that one struggles to do justice to a sympathetic portrait like that of Miss Strickland.



capacity as a "King-Maker." But if William Cary did take part in these great events he was not then deemed of sufficient importance to be included in the sweeping attainder of the entire Lancastrian party which followed the battle of Towton. It does appear that he received and accepted the pardon of Edward IV at some time prior to 1464.¹ Perhaps he was at Towton and then submitted, or perhaps, what is more likely, he followed Queen Margaret and the Duke of Somerset into Scotland and was included in the pardon of Somerset at the surrender of Bamborough Castle at Christmas, 1462. He was certainly in Devon during the two following years, as appears from real-estate transactions to which he was a party.² If William Cary could have read the future, he might then in his own interest have accepted the situation. The fact was that the Red Rose had lost its vitality: it is true that it was to retain a spark of life for the next several years by reason of Queen Margaret's indomitable gardening, and even was to bloom again for a moment, but that was rather due to the grafting of Warwick than to any vigor of its own. It is not, however, in human nature to recognize the inevitable so long as there is hope. The selfish ambition of the exiled queen in behalf of her son, and the ardent partizanship

¹*Rot. Parl.*, v, 511.

²*Cal. Tor Abbey Mun., H. & G.*, v, 16.



of a lost cause among the younger element of the Lancastrians, kept intrigue going.

Henry Beaufort, Duke of Somerset, was at this period only twenty-eight years of age, having been born the year before William Cary. He was such a leader as at the end of the feudal period, perhaps in any age, would win and hold the affection and loyalty of his followers. Great-great-grandson of John of Gaunt, he combined illustrious descent with great feudal power and unusual graces of person. Chastellain describes him as "un tres grand seigneur et un des plus beaux josnes chevaliers qui fust au royaume anglais." Like his father, who commanded and fell at first St. Albans, and his younger brother, who commanded and failed at Tewkesbury, Henry Beaufort was not a great soldier. No small part of the misfortunes of Lancaster in the Wars of the Roses may be attributed to the fact that the position of these three dukes of Somerset gave them successively the chief place in the field as well as in the council, but it is fair to recognize that they had in Edward IV a real soldier opposed to them.¹

After his surrender and pardon in 1462, Somerset was received into great favor by Edward

¹ Fortescue, the technical historian of the British army, sums up (*History of the British Army*, i, 73) the military reputations of the Wars of the Roses as follows: "Of the principal figures only one is to be remarked. Warwick, the 'King-Maker,' must be passed over as rather a statesman than a soldier; Margaret of Anjou, the pestilent, indomitable woman, must be remembered only for



IV : his dignities and his property were restored to him, but he was nevertheless kept under surveillance if not in actual confinement. It was a precaution which sprang from evident knowledge of his character.

Margaret, plotting from the centre of the Lancastrian web in France, started in the spring of 1464 a new revolt against the now established power of York. Percy was to summon his lieges in the north, Somerset in the west; they were to join forces and test again the fortunes of the Red Rose.

It does not appear whether William Cary took part in the fatal and disastrous campaign which followed, culminating in the battle of Hexham and the capture of Somerset. Probably he was not on the field of Hexham or he might then have anticipated his fate at Tewkesbury, for Somerset and all his followers who were taken in arms were promptly beheaded. But it is evident that William Cary was involved in the plot which led up to Hexham, for within the next

her importation of mercenaries; Edward the Fourth, full of the military genius of the Plantagenets, alone is deserving of lengthier mention. There was not an action at which he was present wherein he did not make that presence felt. It was he who at Northampton turned his treacherous admission to the left of the Lancastrian position to instant and decisive account. It was he who, in the following year (1461), still only a boy of twenty, crushed Owen Tudor at Mortimer's Cross: it was he who held supreme command at that more terrible Marston Moor of the fifteenth century, the battle of Towton. . . . The decisive battle of Barnet furnishes a still more brilliant instance of Edward's skill and of his quickness to seize the vital point of a campaign."



few months we find him borrowing money and settling his affairs at home. In July, 1464, in company with the surviving brothers of the late Duke of Somerset and other liegemen of the Red Rose, he fled into France to join the exile of Queen Margaret.¹

When Parliament met in January, 1465, following the battle of Hexham, the inevitable attainder of the late Duke of Somerset and those of his followers taken in arms was the first order of business. The same act² gave an opportunity to those who had escaped to come in and stand trial for treason, or in default to share in the attainder. In this list Sir William Cary is included. We may quote the portions of the act immediately relating to him:

Also where Edmond Beauford and John Beauford, brethren of the said Henry Beauford (late Duc of Somerset, now dede), William Cary, Knyght, otherwise called William Caree, Knyght, John Gower, late of Clopham in the Counte of Surr', Squier, John Yates, late of Norwiche, Gentilman, John Flovil, late of Cloford in the Counte of Somers', Gentilman, and Thomas Philipp, late of Ree in the parish of Quyddesley in the Counte of Glouc', offended heretofore ayenst their Liege Magestie, after that they were accepted into the Kynge's grace and gentilly, lawfully and rightwisly entreted, without rigour or violence. And yet netherles, of

¹ See the deed of settlement of July 16, 1464 (*H. & G.*, vi, 16), the act of attainder of January 21, 1465 (*Rot. Parl.*, v, 511), and the inquisition of October 12, 1465, following attainder (*H. & G.*, iii, 49).

² *Rot. Parl.*, v, 511.



their mere and extreme malice, have by secrett, subtile and privat meanes withdrawen theym oute of this Londe., ad-herying unto Margaret, late called Quene of England, and to her malicious, fals and traiterous opinyon, to the subversion and alteration of the seid Dnation assentyng, purposing and ymagening thereby the distruction of our soverayne Lord and of this his Londe and Sugettes of the same.

Wherefore it was ordained that the Sheriffs of London [and of York] proclaim for three days together that [*among others*] William Caree, Knyght, personally appere afore our said Soverayne Lord in his Benche in the octas of Seint John Baptist next ensuyng the foresaid XXI day of Januar, there then to submitte theym to the grace of our seid Soverayne Lord [and in default of such appearance they shall] stonde and be convicted and atteinted of high Treason and forfeit to our seid Soverayne Lord all the Maners, Landes, Tents, Possessions and Enheritamentes that they or he or eny of theym . . . now have.

William Cary had now cast his lot with the House of Lancaster beyond recall. What then became of him was in after years eloquently rehearsed by his son to Henry VII.¹ After reciting the act of Parliament of January 21, 1465, and the summons to William Cary to appear and stand his trial for treason, the story proceeds:

At which Utas of St. John Baptist the said Will'm Cary appered not before the said Kinge Edward the IIIIth, accordinge to the said p'clamacion bycause that afore the seid XXIst daie of January the said Will'm Cary, Knt., for the naturall love, accordinge to the dutie of his allegeaunce, owed

¹ See the petition in *Cal. Tor Abbey Mun., H. & G.*, vi, 19.

to the most famous Prince of blessed memory, Henry late Kinge of England, the VIth, youre Uncle, was departed oute of this Realm of England into partes beyonde the See, unto the said late Quene Margret, and Prince Edward, son of the same late Kinge Henry the VIth, then being beyond the See: in whose service, as a trewe subgett unto the said late Kinge Henry the Sixte, the said Will'm Cary was and continued the foresaid XXIst daie of Januarie and long tyme before and after the said Utas of St. John Baptist, till he was att the Feld of Tewkesbury by the servauntes of the said Kinge Edward the IIIIth slayne, for his true feyth and allegeaunce owed and observed unto the said late Kinge Henry the Sixte: by reason of which Acte the XXIst daie of Januarie, in fourme aforesaid ordeyned and enacted, the said Will'm was atteynted of High Treason.

In consequence of this attainder all the estates¹ of Sir William Cary were adjudged forfeit to

¹The inquisition held on October 12, 1465, at Plympton, Devon, by John Fortescue, the king's escheator, and a jury (of which a copy has survived among the Tor Abbey muniments) found that the Devon property of William Cary consisted of three parcels:

(a) Lands conveyed in 1464 to Sir William Paulet and other trustees for the benefit of Sir William Cary and his heirs, viz.: the manors of Northlew, Holeway, Hallwell, Highauton juxta Sheepwash, Cary, Lutterford, and Wrey *alias* Wreycombe, two houses and 40 acres in Sheepwash, one house and 100 acres in Monkokehampston, one house and 40 acres in Chagford, two houses and 20 acres in Beaworthy, one house and 5 acres in Domesland, one house and 4 acres in Wygdon.

(b) Lands then held in dower by Cristina, the widow of William Cary's father, viz.: the manor of Cockington, consisting of one house with 300 acres of cultivated land, 100 acres of woodland, 40 acres of meadow, and 100 acres of moorland.

(c) Lands conveyed on July 20, 1464, to Sir William Paulet and other trustees to secure certain debts of said William Cary, viz.: five houses with 300 acres of cultivated land, 40 acres of meadow, and 200 acres of pasture in Chilston.

There was also a house in Watling Street, London.

the crown and were divided between Sir Thomas Bouchier and John Fortescue.¹

After the failure in 1463 of the expedition of the small mercenary army which Margaret had raised on the continent by the aid of Louis XI, the queen returned to France and there in the Lorraine dominion of her father King René resided at the castle of Kuerere² for the ensuing seven years. Here she gathered a small court of English exiles who shared and supported her poverty and her indomitable determination to renew the fortunes of the Red Rose. William Cary was one of this company. King Henry,

¹ *Cal. Rot. Pat.*, 7 Edw. IV (1467), 312, and 14 Edw. IV (1474), 319. Bouchier was of the family of that name, afterwards earls of Bath, who rose to fortune upon their kinship to Elizabeth Woodville, queen of Edward IV. Fortescue, described in the patent as "John Fortescue, esq.," was probably the escheator of Devon who took the inquisition of October 12, 1465. When the estates were restored to Robert Cary in 1487 a charge of 100 marks per annum for five years was reserved in favor of "Sir John Fortescue, Knight." This was undoubtedly the patentee of 1474. For the sake of a story one might wish that it was that Sir John Fortescue (1394?-1476?) who had been chief justice of England under Henry VI and, adhering to the House of Lancaster in its misfortunes, shared the exile and poverty of Queen Margaret when he acted as tutor to young Prince Edward, writing for that purpose his treatise on constitutional government, *De Laudibus Legum Angliæ*, which Stubbs discusses with such respect. Captured with Margaret at Tewkesbury, he was pardoned on condition that he should write a treatise proving the right of the House of York to the throne to refute his own previous treatise on the right of the House of Lancaster. This he did, and lived in peace thereafter until a great age at Ebrington in Dorset. It would be a picturesque footnote on civil war if the companion of William Cary's exile had by turning his coat succeeded to William Cary's estate.

² This ancient castle stood not far from Verdun and St. Mihiel, in the "St. Mihiel salient" where in 1918 the American army conducted its initial independent offensive against Germany.



left behind in Scotland, wandered from hiding-place to hiding-place a pitiful fugitive in the realm of which he had once been monarch, until in 1465 he was betrayed and haled back to London to be again committed to prison.

Patiently waiting and unceasingly intriguing, Queen Margaret conned every available scrap of news from the English court for evidence of a turn of fortune. It came with the announcement of Edward IV's marriage to Elizabeth Woodville and the consequent preferment of the Woodville family. The Earl of Warwick began then to think that unless he could continue to govern England in his own way he had better resume his trade of king-making, and he intrigued with Clarence, the king's brother and his own son-in-law, to that end. In the sequel Clarence's courage failed and Warwick fell back upon the anxious and expectant Margaret. They were brought together by Louis XI.

In the month of June [1470] in the Chateau of Amboise, the fallen Lancastrian Queen Margaret and her son the Prince of Wales met (at first by secret appointment) their old enemy the Earl of Warwick. It was a scene for Shakespeare.¹ Warwick had accused the Queen of an attempt to murder him, and he knew her to have been the person that had sent his own father, his friends and associates to the block. Margaret had cursed the name of Warwick for fifteen long years of misfortune and humiliation.

¹ *The Third Part of King Henry VI*, act iii, sc. 3.



Through that nobleman's means her husband was a prisoner and she and her son, after suffering the extremity of privation and peril, were exiles and wanderers, dependent on the stinted bounty of relations or political friends.¹

After Margaret had kept Warwick fuming on his knees for fifteen minutes he engaged either to restore Henry to the throne or seat his son, but stipulated that the Prince of Wales should marry his own second daughter. The bargain was promptly made and the kaleidoscope began to shift quickly. The Prince of Wales, a lad of eighteen, did his part and married, or agreed to marry, Lady Anne Neville, who is put in Margaret's charge. Warwick lands in England and marches on London. Edward flees to Holland. Warwick releases Henry from imprisonment and seats him again on the throne. For a few months Warwick governs, waiting for Margaret's arrival. She is delayed by man and weather, so that Edward is enabled to anticipate her by three weeks. With the aid of his brother-in-law, Charles the Bold, Duke of Burgundy, he returns, enters London, is welcomed by the citizens, on March 11, 1471, reimprisons Henry, goes out to meet Warwick and defeats him in the battle of Barnet on April 13. Warwick dies on the field. We invoke an old chronicler to conclude the story:

¹Knight, *Pictorial History of England*, ii, 105.



Queen Margaret, when it was too late, accompanied with John Longstrother, Prior of Saint Johns and the Lord Wenlock, with divers Knights and Esquires, took shipping at Harfleur the four and twentieth of March, but by tempest was kept back till the thirteenth of April: and then with her sonne Prince Edward she landed at Weymouth and from thence went to an Abby hard by called Ceern & then to Bewly in Hampshire, whither there came unto her Edmund Duke of Somerset and Thomas Courtney, Earl of Devonshire, with divers others: amongst whom it is resolved once more to try their fortunes in the field, but then the Queen would have had her son Prince Edward to be sent into France, there to remain in safety till the next battell were tryed: but they, being of a contrary minde and specially the Duke of Somerset, she at length consented, though afterward she repented it. From Bewly she, with her son and the Earl of Somerset passeth on to Bristow, intending with what power they could raise in Glocestershire to march into Wales, to join with Jasper, Earl of Pembroke, who was there making preparation of more Forces. King Edward hearing of these things resolves to cross this conjunction and followes Queen Margaret with a great power so close that near Tewkesbury in Glocestershire he overtakes her Forces,¹ who resolutely turn and make head against him, where Somerset, on the Queen's part, leading the Vauntguard, performed the part of a valiant commander: but finding his souldiers through weariness begin to faint, and that the Lord Wenlock who had the conduct of the battail on

¹The strategy of Queen Margaret was to get across the Severn and join Jasper Tudor: that of King Edward was to prevent the crossing. The queen had expected to accomplish her purpose by the Gloucester bridge, but the citizens closed their gates against her. The next crossing higher up was the ford at Tewkesbury. The forced march thither, though grueling, was gallantly maintained, but was matched by that of King Edward, who reached Tewkesbury in time to compel the queen to stand and fight rather than attempt the ford in the presence of the enemy.



the Queen's part, moved not,¹ he rode unto him, and upbraiding him with cowardice or treachery, never staid, but with his Pollaxe beat out his brains: and now before he could bring in his men to the rescue their Vaward was routed, and John, Earl of Devonshire, with above three thousand of the Queen's part were slain: the Queen herself, John Beaufort, the Duke of Somerset's brother, the Prior of Saint John's, Sir Garvis Clifton, & divers others were taken prisoners: all of which, except the Queen, were the next day beheaded. At which time Sir Richard Crofts presented King Edward King Henries son Edward, whom he had taken prisoner: to whom King Edward at first shewed no uncourteous countenance: but demanding of him how he durst so presumptuously enter into his Realm with Arms? and answering, though truly, yet unseasonably, "To recover my Father's Kingdom and Heritage," King Edward with his hand thrust him from him, or (as some say) strook him with his Gauntlet, and then presently George Duke of Clarence, Richard Duke of Gloucester, Thomas Grey Marquesse Dorset and Will Lord Hastings standing by, fell upon him in the place and murdered him.² His body was homely interred

¹The queen's army had taken up a strong position facing south with its back to Tewkesbury. If Somerset, commanding the right wing, had stood his ground and received the Yorkish attack he would have had the advantage, but he impetuously threw this away by rushing to meet the enemy and so lost the day: conspicuously he failed in Queen Margaret's expectation that he would prove "another goodly mast." It may be that Wenlock, commanding the centre, was a "traitor," but it is certain that he showed himself the better soldier by awaiting attack on his own terms. Shakespeare puts in the mouth of Oxford (who, by the way, was not actually present) the prudent soldier's opinion: "Here pitch our battle; hence we will not budge."

²It is only fair to add that while Mr. Gairdner, the modern authority on Richard III, accepts this story of the murder of the Prince of Wales and Richard's participation in it, there are those who do not agree, *e.g.*, the school of historians (Sir George Buck, Horace Walpole, Legge, Miss Halstead, and Sir Clements Markham) who are unable to believe that the last Plantagenet king



with other ordinary Corpses in the Church of the Monastery of the Blackfryers in Tewkesbury. After the victory thus obtained King Edward repaired to the Abbey Church of Tewkesbury, to give God thanks for his good success, and finding there a great number of his enemies that were fled thither to save themselves he gave them all free pardon: only Edmund Duke of Somerset, John Longstrother, Prior of Saint John's, Sir Thomas Tresham, Sir Gervis Clifton and divers other Knights and Esquires, who were appre-

could have been the monster his Tudor successors (and most of all Shakespeare) made him out to be. They insist convincingly enough in this instance that of the only two witnesses who were present at Tewkesbury and have left their testimony, one, Archbishop Morton (in Sir Thomas More's *Richard III*), does not mention the incident though he was alert to bear as evil report of Richard III as he might, while the other (the author of Fleetwood's so-called *Chronicle*) specifically says that the Prince of Wales was slain in the press of the fight, in which statement he is confirmed by another contemporary, the Cambridge don Dr. Warkworth. The picturesque story in Baker is derived, like Shakespeare's material, through Hall and Holinshed from Fabyan and Polydore Virgil, who wrote long after the event with the deliberate purpose of blackening Richard's character. While the re-writing of history is a fascinating game, in the case of Richard III it would seem that one can safely accept conventional traditions if only because enlightened foreign contemporary testimony, that of Philippe de Comines, credited him with most of the crimes his defenders now seek to explain away.

One who is moved to pity by the fate of Edward, Prince of Wales, should realize that if he had been the victor at Tewkesbury he would probably have inflicted upon Edward IV and Duke Richard of Gloucester the same punishment which they meted out to him. He must have had in him more of the devil which possessed his mother than of the character of his saintly father: it is recorded by a French (not a Yorkist) chronicler that ten years before Tewkesbury, when he was eight years of age, he had ordered the decapitation of a Yorkist knight captured at the second battle of St. Albans, who had been presented to him by his father. It is evidence of such bloodthirsty precocity as this which persuades one to believe that the Duke of Gloucester was capable of the cruelty which is attributed to him by the Lancastrian chroniclers (from whom we derive so much of our history of the times), even at Tewkesbury, when he was barely nineteen years of age.

hended there and brought before the Duke of Glocester, sitting that day as Constable of England, & the Duke of Norfolk as Marshall, were all arraigned, condemned and judged to dye, and accordingly upon the Tuesday being the seventh of May they were all and twelve other Knights more, on a scaffold set up in the middle of the town, beheaded, but not dismembered, and permitted to be buried. The same day Queen Margaret was found in a poore house of Religion, not far from thence, into which she was fled for safeguard of her life; but she was after brought to London and there kept a prisoner, till her Father ransomed her with great sums of money. This was the last pitch battell that was fought in England in King Edward the Fourth's dayes, which happened on the fourth of May, being Saturday, in the eleventh year of his reign, and the year of our Lord 1471.¹

¹The present editor has chosen to quote Sir Richard Baker's account of the battle of Tewkesbury, not for its authority, though in this instance he is good enough, but for love of an old book which has pleasant associations. It will be remembered that Baker went through many editions, being a favorite among country gentlemen, though not so much esteemed by the learned: that Sir Roger de Coverley had "drawn many observations together out of his reading in Baker's *Chronicle* and other authors, who always lie in his hall window." (*Spectator*, No. 269.) The copy from which the above extract was made is of the second edition (1653) and once was among the books of Colonel William Fairfax at Belvoir on the Potomac in Virginia. There it may well have been read by young Colonel George Washington, who drew often on his neighbor's library. It is not impossible that in later years at the battle of Monmouth, when General Charles Lee failed him, as Lord Wenlock is represented to have failed the Duke of Somerset at Tewkesbury, "through cowardice or treachery," Washington may have remembered this passage in Baker's *Chronicle* and wished that he might treat Lee as Somerset treated Wenlock. As it was he had to be content to "swear until the leaves trembled upon the trees."

The best modern account of the battle of Tewkesbury, based on all the chronicles and a study of local topography, is by Canon Bazeley in *Transactions of the Bristol and Gloucester Archeological Society*, xxvi (1903), 173. Of course everyone remembers Shakespeare's pictures in *The Third Part of King Henry VI*, act v, scs. 4 and 5.



We do not know whether Sir William Cary reached England with Queen Margaret and the prince, or, preceding her, had returned earlier in that year with Edmund Beaufort, who, since his brother's death at Hexham, had been recognized by the Lancastrians as fourth Duke of Somerset and is so called in the chronicles. It is probable that they canvassed Devon together and brought in to Margaret at Beaulieu the nucleus of the army which was overthrown at Tewkesbury. For the tale of those of the Lancastrians who survived the encounter and despite the king's pardon had to die at the demand of that ruthless dwarf who came to be known as Richard III, we will supplement Baker and turn to another and this time a contemporary chronicler:

And these were taken and behedede afterwarde where the Kynge had pardoned them in the Abbey Chërche of Teukesbury by a prest that turnyd oute at his messe and the sacrament in his handys, whanne Kynge Edward came with his swerde into the chirche, requyrede hym by the vertu of the sacrament that he schulde pardone alle tho whos names here folowe: The Duke of Somersett, the Lord of Seynt Jhones, Sere Humfrey Audeley, Sere Gervis of Clyftone, Sere William Gremyby, Sere William Cary, Sere Thomas Tresham, Sir William Newburgh, Knyghts, Herry Tresham, Walter Curtenay, Jhon Florey, Lowes Myles, Robart Jacksone, James Gowere, James Delvis, sonne and heire to Sere John Delvis: which upon trust of the Kynge's pardon, yevene in the same Chirche the Saturday, abode ther stille when thei myght

have gone and savyd ther lyves: which one Monday aftere were behedede, notwitstandynge the Kynge's pardone.¹

And so another Cary fell a victim to another Duke of Gloucester. The very name Gloucester should be ominous to all who have Cary blood in their veins.

It will be recalled that Baker records the tradition that Gloucester's Tewkesbury victims were beheaded but not dismembered and were permitted to be buried. The earliest of the numerous Cary monuments in the church at Clovelly exhibits Sir William Cary's arms impaled with those of Paulet.² It is altogether probable that Sir William Cary's eldest son at some time, if not immediately after the battle, piously reclaimed his father's body and reburied it in Clovelly Church.

¹Warkworth's *Chronicle* in Bohn, *Chronicles of the White Rose*, 1845, 127. This list of the names of those "behedede" after Tewkesbury is confirmed by another, which includes "Sir William Carre," found among the Paston papers (Gairdner, *Paston Letters*, 1910, iii, 9). Sir Clements Markham (*Richard III*, 1906) gives still another list including "Sir Hugh Carey," but does not cite his source. It should be remembered that those who so "suffered" had all been attainted of new treason after having accepted pardon at the hands of Edward IV, and that they were now regularly, if summarily, tried and the fact proved before a constitutional court, that of the Lord Constable (Gloucester) and the Earl Marshal (Norfolk), a court which is mentioned by Sir John Fortescue in his *De Laudibus*. It is clear that after Tewkesbury, Edward IV pardoned many of the Lancastrian captains who were engaged, including, e.g., a Fulford, but it may be fairly assumed that they were guilty only of a first offense: this may have led to the unreasonable conclusion that the pardon included the attainted "traitors" as suggested by Warkworth and other chroniclers.

²Dymond, *H. & G.*, vi, 6.



CHAPTER EIGHT

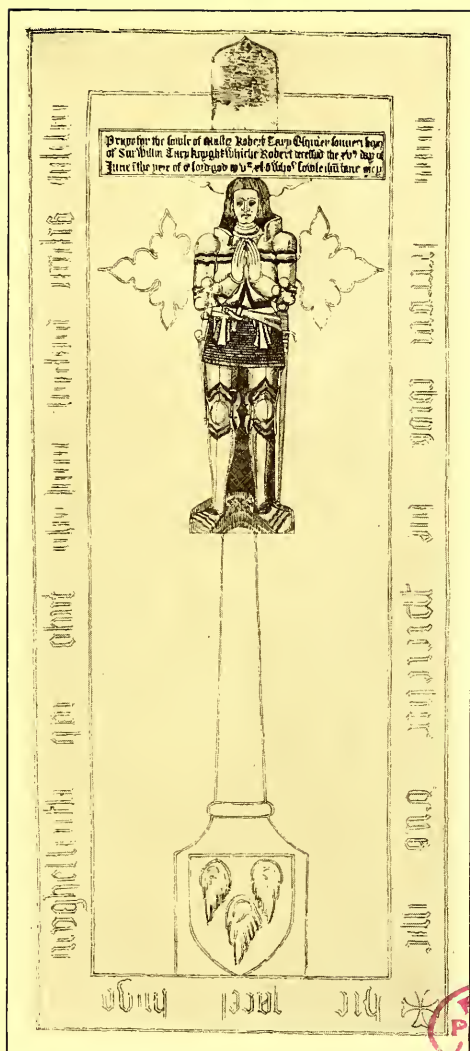
THE COMPOSTELA PILGRIM

There is a strong contrast to the turbulent, unsatisfied life of Sir William Cary of Cockington, of the tenth generation, in that of his eldest son Robert Cary of Clovelly (1457-1540).

The one frequented courts and spent seven years beyond the sea in exile in an atmosphere of intrigue and selfishness; the other was a pious, home-keeping, respected country gentleman, who, except for his pilgrimage to Compostela, could say with the Vicar of Wakefield, "All our adventures were by the fire-side, and all our migrations from the blue bed to the brown." The one was beheaded for treason at the age of thirty-four because he could not live under two kings; the other rounded out fourscore years and three, having lived, like another vicar, him of Bray, serenely and comfortably, under no less than six-kings of three successive dynasties.

Robert Cary was born, as he says in his will,¹ at Hinton St. George, the seat of his maternal

¹The original is among the Tor Abbey muniments. (See *H. & G.*, vi, 9.)



THE TOMB OF MASTER ROBERT CARY

1457-1540

THE COMPOSTELA PILGRIM, IN CLOVELLY CHURCH





grandfather, Sir William Paulet, in Somerset.¹ As his father was already married to his second wife in 1458, we may fix the date as not later than 1457. By reason of his father's absence after the first few years of his infancy, he grew up among his mother's people, a fact which is indicated by the several evidences of his strong affection for the Paulets. It was a family like the Carys themselves, seated in the west of England soon after the Conquest, taking their name from that of their first manor, producing knights and squires for many generations, and finally flowering into the peerage.²

¹ Hinton St. George, near Crewkerne, is still the seat of Sir William's descendants, the earls Poulett. The present house is so vast a structure that, the story goes, it takes a housemaid half the day to open the windows and the other half to close them again.

² The father-in-law of Sir William Cary, Sir William Paulet of Hinton St. George, had been a soldier in the wars of France prior to the outbreak of the Wars of the Roses. His son Sir Amyas Paulet came to maturity after Henry VII was on the throne, and was knighted, upon the overthrow of the pretender Lambert Simnel, at the battle of Stoke, 1487. About the year 1500 he put in the stocks one Thomas Wolsey, a young priest and schoolmaster at Limington, Somerset, and in later years had occasion to regret that act of discipline when the schoolmaster became the king's chief minister and a cardinal. His descendants were raised to the peerage by Charles I and by Queen Anne were promoted to be earls Poulett.

In the reign of Henry VIII a Sir William Paulet of the time, representative of a younger branch of the family of Hinton St. George, became comptroller of the king's household, and by supple politics achieved a succession of high offices. He was raised to the peerage first as Earl of Wiltshire and then promoted to be Marquess of Winchester. The sixth marquess took part in the revolution of 1688 and was made Duke of Bolton. That title has since lapsed, but the sixteenth marquess is to-day the premier marquess of England. (*Collins Peerage*, ed. Brydges, iv, 3; Cavendish, *Life and Death of Cardinal Wolsey*.)



Though of Lancastrian sympathies, it does not appear that the Paulets took an active part on either side; and as no chapter of the contest was fought out in Devonshire, a boy like Robert Cary could live and grow up in these times with more knowledge of rumors of war than of war itself. He would have no personal memories of his absent father. Robert Cary was apparently of a cold and stolid disposition; perhaps his father's experience atrophied in him any natural impulse to ambition or desire to take part in the large world of affairs. At all events, for all that he was born in unsettled times, the boy's experience during his youth need not have been abnormal; his subsequent career is warrant that his education was peaceful. It was one of the phenomena of the Wars of the Roses that while they raged the regular life of the nation was not arrested.

During this troubled time, when we might naturally expect that the whole framework of society would be thrown into disorder, we find the internal administration of England proceeding with the same regularity as if the struggle for supremacy were raging on the banks of the Seine instead of the banks of the Thames. The uniform course of justice is uninterrupted. Men are litigating for disputed rights as if there were no general peril of property. They are electing Knights of the shire and burgesses under aristocratical or popular influences, as if the real arbitrament of these contentions was to be in the parliament house and not in the battlefield. They are buying and selling, growing and ex-



porting as if the producers looked on with indifference whilst the Warwicks and Somersets were slaying or being slain. They wear richer apparel and strive more for outward distinctions and build better houses than when their fathers were fighting in France: and they are really prospering in an increase of material wealth though they greatly lack the instrument of exchange, for the want of money is grievously felt from the peer to the huckster. They pursue their accustomed diversions: they hunt and they hawk: they gamble in public gardens: they gape at the players of interludes: they go on pilgrimage to Canterbury, and Walsingham and Santiago: they take life easily as if no danger were around them, when truly they might be in trouble for shouting for the White Rose on one day and for the Red on the next. Their marriages go forward with the keenest avidity amongst the gentry and the burgesses to make the best bargains for their sons and daughters: and whilst we know how many great houses were rendered desolate by these troubles we have no satisfactory evidence that, during their existence, population had decreased.¹

¹ Knight, *Pictorial History of England*. The *Paston Letters* amply bear this out. With a magisterial authority derived from exhaustive study of MS. sources, Prof. Thorold Rogers drives home the point in a characteristic passage (*Work and Wages*, chap. xii): "We are told that house was divided against house, that families were rent by factions, and that partizanship invaded even monasteries and colleges. Our great dramatist, as is well known, has illustrated the passions of the day with tragic incidents in his plays of Henry VI. But in this I suspect there is the special pleading of the Tudor writers, who wished to represent in the strongest way how great were the blessings which came in with the accession of the family under which they lived, and how healing had been the pacific policy of the first Tudor prince. I can only say that though I have read hundreds of private documents compiled for private inspection only, during the whole of this period I have never met with any significant allusion to the troubles which were impending or the scenes which were enacted. . . . During the struggle between the rival houses, it seems to me that the people were absolutely indifferent. It was not a war of sieges but of battles, in which combatants appear to have sought out some secluded spot



Robert Cary made his chief residence during a long life at Clovelly, and there erected a monument to his father, although for several generations Cockington had been the chief seat of his ancestors. Perhaps the explanation of this is that his grandmother, the widow of Philip Cary, was still in possession of Cockington in right of her dower when Robert Cary recovered his father's estates and so that charming seat did not come into his possession until his affection had already been fastened upon Clovelly. At all events, Robert Cary salved his conscience for his desertion of Cockington by building the church there in 1490 after he got possession. The font of this chapel of ease still bears an inscription of his dedication.¹

At the time of his father's death Robert Cary would be fourteen years of age. During the fourteen years to come of the reigns of Edward IV and Richard III he could hardly expect any grace of restitution from those princes of the House of York, but when in 1485 the wheel of fortune turned and the Earl of Richmond con-

and to have fought out the combat. I have never seen or read of any injury done to neutrals, except the outrages of Margaret's northern army in the beginning of 1461, deeds which led to the instant deposition of Henry and the coronation of Edward. The war, I believe, was as distant from the great mass of English people and was as little injurious in its immediate effects as summer lightning is. If it was followed by the destruction of human life, the loss did not fall on the working men of England, but on the nobles and professional *condottieri*."

¹ Dymond, *H. & G.*, vi, 6.



quered the crown of England on Bosworth field and became Henry VII, every Lancastrian in England felt that he had come into his own again; for while Henry VII founded a new dynasty under his paternal name of Tudor, his maternal blood, which alone gave him the status of royalty in England, was that of Lancaster (what was more important to Robert Cary, his mother was a Beaufort), and he was nephew to the last unhappy king of that house, in whose behalf Henry VII's own grandfather had given his life. The support on which he built his conquest was all Lancastrian. It was reasonable, then, for Robert Cary to expect at the hands of Henry VII a restitution of the forfeited ancestral Cary estates. A petition to this end was accordingly made during the first year of Henry VII's reign. We find this petition endorsed with certain conditions in favor of those who held the property under grant from Edward IV, and, subject to such conditions, with the comforting cedula, *Soit fait comme il est désiré*.¹ From his deed of settlement of 1535 we learn that this was done, for the enumeration of Robert Cary's manors includes, with others, the old names we have so often met in the history of Cary of Devon.²

¹The petition is given at length, from a copy among the Tor Abbey muniments, by Dymond, *H. & G.*, vi, 19.

²Here is the list of Robert Cary's manors as given by Mr. Dymond (*H. & G.*, vi, 27), viz.:

After some litigation with his father's widow, Alice Fulford, now the wife of John Anthony, and with his half-brother, Thomas Cary, her son,¹ Robert Cary, now restored in estate, proceeded to live the quiet life of a prosperous country squire. He became, says Pole,² "a grave lerned man in the lawes and Justice of Peace in Devon." Twice he was on the sheriff roll, in 1510 and 1511, when each time the king picked another, but in the latter year, like the Chief Baron, he served in a Commission of Array.³ During a long life he married three times: first,

"Clovelly, Cockington, Chilston alias Chyllston, Cary, Northlew, Highauton, Hallwill, West Wanford in the parish of Milton Damarell, Haigne and Ludon in the parish of Murton, Headen and Sawgden in the parish of Sutcombe, Lutterford in the parish of North Bovey, Loddeford in the parish of Schebbeare alias Sches-tebere, Wyle and Fenne alias Venne in the parish of Beaworthy, Magna Torretton, Schepewaysche, Monkeokehampton, Holdisworthy, and Hertland, all in the county of Devon, with the advowsons of the churches of Clovelly and Highauton."

¹ *Thomas Cary, of Chilton Foliot*. It is evident that some jealousy between the Paulet and Fulford families led Robert Cary into injustice to his half-brother, who became the ancestor of the Falkland and the Hunsdon Carys (see *post*, p. 301). The *Placita de Banco*, or records of the Court of Common Pleas, in the fourth and seventh years of Henry VII, show (see *The Genealogist*, xxiii, 28, and xxiv, 106) that in 1489 John Anthony, in right of his wife Alice Fulford, formerly widow of Sir William Cary, claimed dower rights in Clovelly, and that in 1492 Robert Cary sued his half-brother, Thomas, to recover certain of Sir William Cary's manors, including Cary, into possession of which the Fulford feoffees of Sir William had put their kinsman. In this last suit Robert Cary evidently succeeded, with the result that Thomas Cary left Devon, which has not since harbored any of his descendants. (See *post*, p. 304.)

² Pole, *Collections*, 89.

³ *Letters and Papers of Henry VIII*, i, 1316, 1812, 1949.

Jane, daughter of Sir Nicholas Carew;¹ second, Agnes, daughter of Sir William Hody, who was chief baron of the exchequer from 1486 to 1516;² and third, about 1512, Margaret, widowed daughter of William Fulkeram (or Fulkroy) of Dartmouth.³ We get no further glimpse of Robert Cary until April 11, 1518,

¹ It was from this marriage that the later Cockington household, and their descendants who still persist at Tor Abbey, have derived their infusion of Carew blood. For all that they owed their early prosperity to a marriage with a royal *cruche cassée*, the Carews, the Windsors, and their Irish kinsmen, the Fitzgeralds, can prove their pedigree to Walter Fitz Other, an authenticated follower of William the Conqueror. (See *The Origins of the Carews* in *The Ancestor*, v, 19.) Mr. Horace Round says elsewhere (*Peerage and Pedigree*, 1910, 45): "The house of Carew can claim the proud distinction of a clear descent in the male line not only from an ancestor whose name is mentioned in the Domesday survey, but from one who was then a 'baron' or tenant in chief and whose father's name is recorded."

² The Visitation of 1620 describes him as Sir John Hody, confusing him with his father, who was chief justice of the King's Bench, *temp.* Henry VI. See Foss, *Judges of England*, 349.

³ The eldest son of this third marriage testified (*H. & G.*, viii, 116) to his age as forty-eight in 3 Eliz. (1591), thus fixing approximately the date of his mother's marriage. She survived the Compostela pilgrim, living until 1547. (See her *Inq. p.m.*, 38 Henry VIII, No. 9.) Her first husband was John Herle of Cornwall, of a family originally derived from Northumberland but associated with Devon and Cornwall from the time of Edward III, when William de Herle, chief justice of the Common Pleas, married the heiress of Champernon of Ilfracombe. (Foss, *Judges of England*, 344.) A daughter of Margaret Fulkeram by her Herle marriage married Robert Cary's son William of Ladford, and in consequence the Herle pedigree was extended on that of the Clovelly Carys at the Visitation of 1620, as well as in the Visitation of Cornwall of the same year. (Vivian, *Devon*, 150, and *Cornwall*, 220.) A Thomas Herle was rector of Clovelly in 1535 and a trustee under the Compostela pilgrim's deed of settlement. A later member of the family, Charles Herle (1598-1659), was a distinguished divine of Presbyterian convictions under Charles I and a friend of Fuller. (See *Worthies*, ed. 1840, i, 318.)



when at the age of sixty-one he made a will¹ declaring therein that his action was preparatory to a pilgrimage to Compostela during the ensuing summer. We may fix the date as being two years before Henry VIII's Field of the Cloth of Gold, at which Robert Cary's nephew William was to win a jousting reputation.

The practice of pilgrimages is one of the most interesting of the social phenomena of the middle ages. Beginning, in an age saturated with superstition, with the performance of penance assigned by the Church in expiation of specific sin, it grew with the food it fed on into a belief that there was no such medicine for the soul's health as a voluntary penance, an insurance for the good and a quittance for the evil.

Pilgrimages were avowedly undertaken either to the honor of God, for the purposes of prayer, or in quest of assistance, especially for health. To such ends they were encouraged by the respectable clergy, with arguments which the liberal Sir Thomas More admits to be sound, the more perhaps because they quickened faith and stimulated in a legitimate way the giving of alms, and thus served the same purpose as the modern religious "revival." Among those priests who grew comfortable on the practice of simony, pilgrimages were a sheer boon, for they

¹ *Cal. Tor Abbey Mun., H. & G., vi, 9.*



created an avid demand for the sale of indulgences in a market which was becoming sated as liberal opinion was discussed if not adopted. The holy places, of course, profited greatly. There were pilgrimages for all pockets and for all classes of the community. In England the shrines of the greatest reputation were Canterbury, Walsingham, and Peterborough. Their convenience of access, the unwonted safety which the pilgrim habit gave to the traveler on the road and the appetite to escape the commonplace which stirred at the prospect of an expedition into the great world at a time when men stayed at home to an extent which it is difficult for the modern man to realize, united to attract the pious, the adventurous, and the merely amorous.¹

Thus developed what a modern writer has termed the "bank holiday" stage of pilgrimages in England, of which Chaucer has given us the familiar and classical example.

A foreign pilgrimage was, however, another matter. It was of necessity prohibitive to the poor, and its physical difficulties restrained all but the most determined. Nevertheless, all during the middle ages men went as pilgrims in astonishing numbers to Rome and even to Pales-

¹ See the ballad in Percy's *Reliques* beginning,
"As ye came from the holy land
Of blessed Walsingham."



tine. The chief foreign resort of Englishmen was, however, to Santiago de Compostela: no one knows how many went,¹ but they swelled the throng which made of the road to St. James, *el camino de Santiago*, the proverbial name which Spaniards have for the Milky Way. So much was Compostela the habit of the well-to-do in England that one who examines medieval English tombs is almost persuaded that the cockle-shell was a badge of all pilgrims: as a matter of fact it was the sign of pilgrimage to Compostela alone.

So while Robert Cary was somewhat late in time as well as in life when he undertook his pilgrimage, for he went in the very teeth of the Reformation, he was still in the English fashion in choosing the object of his devotions. The shrine of Santiago de Compostela gave its name to the capital of Galicia and is included in the modern province of Corunna in north-western Spain. It was built on the spot to which, about the year 835, Theodomir, Bishop of Iria, had been guided by a star, there to discover the miracle-working relics of St. James the Great.²

¹Rymer, *Fædera*, records 916 licenses granted to English pilgrims in 1428, and 2460 in 1434.

²For the legend of St. James the Apostle, Dante's *il Barone* and the military patron of Spain, the biblical son of Zebedee and Salome and by Jesus surnamed Boanerges, see Mrs. Jameson, *Sacred and Legendary Art*, i, 226. Cf. also Southey's ballad *The Pilgrim of Compostella*. The name is usually spelled by Englishmen Com-

Let us follow Robert Cary on his way by means of such scraps of the experience of others as are available.

We have a lively and amusing picture of the inconvenience of the sea voyage of the Compostela pilgrim in a ballad which has survived from the fifteenth century:¹

Man may leve all gamys,
That saylen to Seynt Jamys;
For many a man hit gramys,
When they begyn to sayle.

postella, having reference to the star of the legend, but the Spanish spell it Compostela and derive the word from *compostum*, a burying-ground.

It is necessary to suspend the Puritan prejudice of the modern English and American mind if one would understand the power of the legend of a miracle. A sympathetic historian of Compostela (C. G. Hartley, *The Story of Santiago de Compostela*, 18) has given us the key in this instance: "It may be urged by the unbelieving that there is no historical evidence that the 'Son of Thunder' ever came at all to Spain [either before or after Herod Agrippa decapitated him]. Yet the strongly rooted belief is in itself the most potent evidence to the wide fascination which Santiago has exercised over the imagination of Spain for more than a thousand years, and, indeed, still exercises to-day. The Spanish mind has ever moved to action by the things of the Spirit. And in reading the record to-day, where belief in actual miracles may be dead, the wonder is not less great. It is the miracle of the spirit that remains. We acknowledge the wisdom of those men who understood so well the needs of human belief."

In this sense we may append a significant statement from the *Encyclopædia Britannica* (11th ed.), xxiv, 192: "The Congregation of Rites declared in 1884 that the Cathedral still enshrines the veritable body of the apostle, and few places of pilgrimage in Europe are more frequented."

¹ Halliwell, *The Early Naval Ballads of England*, Percy Society, 1841; also Firth, *Naval Songs and Ballads*, Navy Records Society, 1908.

For when they have take the sea,
At Sandwyche or at Wynchylsee,
At Brystow, or where that hit bee,
Theyr herts begyn to fayle.

Anone the mastyr commaundeth fast
To hys shyp-men in all the hast,
To dresse hem soon about the mast
Theyr takeling to make.
With "howe! hissa!" then they cry,
"What, howte! mate, thou stondyst too ny,
Thy fellow may not hale the by";
Thus they begyn to crake.

Thus menewhyle the pylgryms ly,
And have theyr bowls fast theym by,
And cry after hot malvesy,
"Thow helpe for to restore."

And some wold have a saltyd tost,
For they myght ete neyther sode ne rost;
A man myght soon pay for theyr cost,
As for one day or twayne.
Some layde theyr bookys on theyr knee,
And read so long they myght nat see,
"Allas! myne head woll cleve in three!"
Thus seyth another certayne.

Then commeth owre owner lyke a lorde,
And speketh many a royall worde,
And dresseth hym to the hygh borde,
To see all things be well;
Anone he calleth a carpentere
And biddeth hym bryng his gere,
To make cabans here and there
With many a fabyl cell.



A sak of straw were there ryght good,
For some must lyg them in theyr hood;
I had as lefe be in the wood,
Without mete or drynk,
For when that we shall go to bedde,
The pump was nygh our bedde hede,
A man were as good to be dede,
As smell thereof the stynk.

For local color at Corunna and Santiago we turn to a modern writer. George Borrow, the "Romany Rye," made in 1835 the Spanish journey of which we have the romantic record. At Santiago he parades somewhat perversely and unconvincingly his puritan prejudices, for he cannot conceal his response to the symbolism of the cathedral services, and he gives a noble rendering of the ancient hymn to St. James:¹

At the commencement of August I found myself at Saint James of Campostella. To this place I travelled from Coruna with the courier or weekly post, who was escorted by a strong party of soldiers, in consequence of the distracted state of the country, which was overrun with banditti. From Coruna to Saint James the distance is but ten leagues; the journey, however, endured for a day and a half. It was a pleasant one through a most beautiful country, with a rich variety of hill and dale; the road was in many places shaded with various kinds of trees clad in most luxuriant foliage. Hundreds of travellers, both on foot and on horseback, availed themselves of the security which the escort afforded: the dread of banditti was strong. During the journey two or three alarms were given; we, however, reached Saint James without having been attacked.

¹ *The Bible in Spain*, chap. xxvii.



Saint James stands on a pleasant level amidst mountains: the most extraordinary of these is a conical hill, called the Pico Sacro, or Sacred Peak, connected with which are many wonderful legends. A beautiful old town is Saint James, containing about twenty thousand inhabitants. Time has been when, with the single exception of Rome, it was the most celebrated resort of pilgrims in the world; its cathedral being said to contain the bones of Saint James the elder, the child of the thunder, who, according to the legend of the Romish church, first preached the Gospel in Spain. Its glory, however, as a place of pilgrimage is rapidly passing away.

The cathedral, though a work of various periods, and exhibiting various styles of architecture, is a majestic venerable pile, in every respect calculated to excite awe and admiration; indeed, it is almost impossible to walk its long dusty aisles, and hear the solemn music and noble chanting, and inhale the incense of the mighty censers, which are at times swung so high by machinery as to smite the vaulted roof, whilst gigantic tapers glitter here and there amongst the gloom, from the shrine of many a saint, before which the worshippers are kneeling, breathing forth their prayers and petitions for help, love and mercy, and entertain a doubt that we are treading the floor of a house where God delighteth to dwell. Yet the Lord is distant from that house; he hears not, he sees not, or if he do, it is with anger. What availeth that solemn music, that noble chanting, that incense of sweet savour? What availeth kneeling before that grand altar of silver, surmounted by that figure with its silver hat and breast-plate, the emblem of one who, though an apostle and confessor, was at best an unprofitable servant? What availeth hoping for remission of sin by trusting in the merits of one who possessed none, or by paying homage to others who were born and nurtured in sin, and who alone, by the exercise of a lively faith granted from above, could hope to preserve themselves from the wrath of the Almighty?



Rise from your knees, ye children of Campostella, or if ye bend, let it be to the Almighty alone, and no longer on the eve of your patron's day address him in the following strain, however sublime it may sound:

"Thou shield of that faith which in Spain we revere,
Thou scourge of each foeman who dares to draw near;
Whom the Son of that God who the elements tames,
Call'd child of the thunder, immortal Saint James!

"From the blessed asylum of glory intense,
Upon us thy sovereign influence dispense,
And list to the praises our gratitude aims
To offer up worthily, mighty Saint James!

"To thee fervent thanks Spain shall ever outpour;
In thy name though she glory, she glories yet more
In thy thrice hallow'd corse, which the sanctuary claims
Of high Compostella, O blessed Saint James!

"When heathen impiety, loathsome and dread,
With a chaos of darkness our Spain overspread,
Thou wast the first light which dispell'd with its flames
The hell-born obscurity, glorious Saint James!

"And when terrible wars had nigh wasted our force,
All bright 'midst the battle we saw thee on horse,
Fierce scattering the hosts, whom their fury proclaims
To be warriors of Islam, victorious Saint James!

"Beneath thy direction, stretch'd prone at thy feet,
With hearts low and humble, this day we entreat
Thou wilt strengthen the hope which enlivens our
frames,
The hope of thy favour and presence, Saint James!

“Then praise to the Son and the Father above,
And to that Holy Spirit which springs from their love;
To that bright emanation whose vividness shames
The sun’s burst of splendour, and praise to Saint
James.”

And finally here is Cardinal Gasquet’s summary of a report of a fifteenth-century Englishman of his Compostela pilgrimage:¹

William Wey’s ship was named the *Mary White*, and in company with them six other English ships brought pilgrims from Portsmouth, Bristol, Weymouth, Lymington, and a second from Plymouth. They reached Corunna on May 21st, and Compostella for the great celebration of Trinity Day. Wey was evidently much honoured by being pointed out to the church officials as the chief Englishman of note present, and he was given the post of first bearer of the canopy in the procession of the Blessed Sacrament. Four out of the six poles were carried by his countrymen, whom he names as Austill, Gale and Fulford.

On their return the pilgrims spent three days at Corunna. They were not allowed to be idle, but religious festivities must have occupied most of their time. On Wednesday, the eve of Corpus Christi, there was a procession of English pilgrims throughout the city and a mass in honour of the Blessed Virgin. On Corpus Christi itself their procession was in the Franciscan church, and a sermon was preached in English by an English Bachelor in Theology on the theme, *Ecce ego; vocasti me*. “No other nation,” says William Wey, somewhat proudly, “had these special services but the English.” In the first port there were ships belonging to English, Welsh, Irish, Norman, French, and Breton, and the English alone had two and thirty.

¹ *The Eve of the Reformation*, 366.



On his return from Compostela, Robert Cary protracted a long and uneventful life at home. Perhaps his faith won for him, from that experience, the miracle of persistent good health. On April 12, 1535, he executed a long deed of settlement of his estate¹ and five years later he died. He was buried in Clovelly Church, where in the chancel a sepulchral brass perpetuates his name. This noble monument, marking the end of an era, has been well described as follows:²

The figure is arrayed in very rich armour: the breast-plate is fluted: from the waist are suspended two narrow taces, to which are appended two ornamental tuilles reaching to the bend of the thigh, a tunic of mail hangs below the elbow and the knee plates are very rich. The legs are enclosed in plate and large rowelled spurs are fastened on the heels with long straps. The offensive arms are a sword and dagger suspended from a curiously arranged belt. The head is without covering, and the hands are bare and joined, as if in devotion, on the breast.

The inscription on the tomb is:

Praye for the soule of Master Robert Cary, Esquire,
sonne and heyre of Sir William Cary, Knight,
which Robert decessyd the XVth day of June
in the yere of our Lord God MVXL,
on whose soule Jesus have mercy.

¹ Calendared by Dymond, *H. & G.*, vi, 24, from the original at Cockington Court.

² W. R. Crabbe, in his "Account of the Monumental Brasses of Devon," quoted by Dymond, *H. & G.*, vi, 6.



Robert Cary lived beyond the age to which he belonged and into the modern world. "The spacious times of great Elizabeth" were near. Doubtless he had relations with his prosperous young kinsman the Bristol merchant, who was soon to be a mayor, and felt an uneasy stir moving his pulses as he heard from him the new ideas engendered by participation in a roaring foreign trade. He heard of the discovery of America and of the golden conquests of Cortez and Pizarro in Mexico and Peru, of Luther and the Reformation, of the Renaissance of art and letters. He saw printing come into general use and doubtless heard the Scriptures read from a printed English Bible, though he might not approve that practice. He saw Henry VIII, like Henry V, established in the power won by his father, turn to foreign politics to consolidate the opinions of a people distracted by civil strife, and he lived to see and lament the consequent breach with Rome, the establishment of a national Church and the dissolution of the monasteries. But he died a staunch Roman Catholic and a survivor of the middle ages.



CHAPTER NINE

THE SWARMING OF THE HIVE

In contrast with the equitable principle of the Roman law which has been adopted generally in the modern world, the English rule of inheritance, derived from Germanic custom as modified and enforced by a highly centralized feudal system, was based upon considerations of economic necessity. The family as an institution is held to be more important than any member of it; for purposes of military service the maintenance of the integrity of the inheritance is a matter of more concern to the lawgiver than the claim of individuals: so the practice of succession by primogeniture was established.¹ Cary of Devon had followed this rule, but in the eleventh generation the reason for the feudal practice was no longer compelling, and we are now to witness an interesting experiment.

Robert Cary of Clovelly had five sons by his three wives. They were John and Thomas, sons of Jane Carew; William, son of Agnes Hody; and Robert and Gregory, sons of Margaret

¹ Pollock and Maitland, *History of English Law*, 1911, 262.



Fulkroy. Thanks to the prudent marriages of his forebears and his own careful management during a long life through the years when England was prospering in the domestic peace which the Tudors established, Robert Cary was not only a rich man, but in the very nature of the method of their accumulation the broad acres of his inheritance lay in separate groups scattered across Devon from Bideford Bay to the English Channel. It was not necessarily an impartible military tenement, such as the law had cherished. His manors were administered largely by stewards without constant personal supervision except in the vicinity of the seat of the lord's habitual residence. This consideration may have suggested to Robert Cary the step, as unusual in England to-day as it was in the sixteenth century, of dividing his property among all his sons, contrary to the rule of primogeniture. By so doing he might, as indeed he did, sacrifice the opportunity of political influence which in England has seemed to increase in geometrical ratio with the ownership of land; but on the other hand he could found several new families and so establish his name in his native land beyond the peradventure of the vicissitudes of a single inheritance. Robert Cary remembered how his family's lamp was twice preserved from extinction by the fact that Clovelly had been held as a separate estate. He may



also have been influenced to his decision by the more immediate consideration of the character of his eldest son, whose offspring in the event proved themselves incapable of long maintaining the status of the family.¹

But whatever were his motives, in his seventy-seventh year Robert Cary took a step which lost to the family almost immediately some of its ancient manors, but to that step we may nevertheless fairly attribute the fact that Cary has been a name of dignity in Devon for as many centuries since Robert Cary as before him. This is true although his descendants do not now own a single acre of the manors he so settled upon them.²

The deed of settlement of April 12, 1535, provided for the distribution of Robert Cary's property among his sons but subject to an elaborate system of cross-entails intended to preserve the family whatever might come. The aged squire recited that already to his great costs and charges he had married John Cary, his eldest

¹ There was preserved in the Carew MSS. (quoted in Collinson's *Somerset*, iii, 604) a good story of a similar decision in another West Country family about this same time. Sir John Rodney of Stoke Rodney had three sons, who were one day shooting at butts, when one of the younger sons gave judgment on a disputed point of the sport against the eldest and in favor of the other cadet. Whereupon the eldest threatened them both that they should repent it when he came to his land. The father overheard this and at once told his eldest son that he would make the others live without him: which he proceeded to do by dividing his property.

² Dymond, *H. & G.*, vi, 7.



son and heir apparent, to the daughter and heir of Edmund Deviock of Okehampton, but had not advanced any of his younger sons in any marriage, and forasmuch as they had all been loving, kind, aiding, and helping to their father he would now provide for them. So he divided his estate *per stirpes*.

To the oldest son, who had already acquired the Deviock manor of Kegbear¹ in right of his wife, which might serve as an inheritance for the oldest grandson, he now assigned the ancestral manor of Cary as a portion for the two younger grandsons of the eldest line. To his second son, Thomas Cary, he assigned the properties on the southern coast, Cockington and Chilston. To the third son, William, he assigned Ladford and other properties in the Shebbear neighborhood. To the two younger sons, the children of his surviving wife, he assigned Clovelly with Halwill and Highauton and other property at Wyll, Sheepwash, and Monkokehampton, in the Clovelly neighborhood.

He thus budded four new branches of the family tree.

¹*The Kegbear line.* Of John Cary¹², the eldest son of the Compostela pilgrim, we have record in his father's settlement of 1535, in the *Inq. p.m.*, 32 Hen. VIII, No. 11, taken after his father's death, when he was "aged 38 years and more," and in the *Inq. p.m.*, 4 Edw. VI, pt. 1, No. 37, taken after the death of his brother William of Ladford. The Visitation of Devon of 1620 shows that he had three sons and several daughters. One of the sons dying unmarried the family properties were divided between the sur-

Two of them, the Kegbear and the Ladford¹ branches, soon withered and died.

Unfortunately for an ancient tradition, the ancestral manor of Cary became part of the patrimony of one of the sons whose line failed. The

vivors, Robert the elder taking Kegbear and Thomas taking Cary.

Robert Cary¹³ of Kegbear had three sons: two died unmarried, and the third, Launcelot, without issue, when what was left of his estate was divided among his sisters. See *Misc. Inq. p.m.*, Eliz., Jas. and Chas., pt. 7, Nq. 189, and the will of Launcelot Cary dated October 30, 1610, in the probate records at Exeter, calendared in *H. & G.*, vi, 10. This will confirms the recent alienation of his real estate and proceeds to dispose of personal property, "one bedstead and featherbedd p'formed," and some jewels to his wife, his "black corslet" to a friend. The inventory shows some live stock and an assortment of weapons, a corslet, a caliver, a musket-flax and touchbox, an old sword, a rapier, dagger, hanger, and crossbow. It is evidently the end of a line.

¹ *The Ladford line.* William Cary¹², son of the Compostela pilgrim by his second wife, Agnes Hody, took under the settlement of 1535, as we have seen, the manor of Ladford, which had been the patrimonial estate of the Orchard family and had come to the Carys about 1422 through the marriage of Philip Cary⁹ with the heiress Cristina Orchard. As appears from *Inq. p.m.*, 4 Edw. VI, pt. 1, No. 37, and the Visitation of Devon of 1620, he married Joan Herle, a daughter of his father's third wife, and died August 17, 1550, leaving two sons, Robert and William. As appears from the probate of his will (*P. C. C. Drury*, 18), Robert died 1589. Prince (*Worthies of Devon*) asserted that the line was extinct in his time, say 1697. Mr. Dymond testified in 1873 (*H. & G.*, vi, 8) that "no evidence has yet transpired to invalidate Prince's statement." Finally, in 1895, Colonel Vivian demonstrated (*Visitations of Devon*, 150) that although Robert Cary¹³ of Ladford had named four sons in his will, he died leaving only a daughter surviving, and was succeeded at Ladford by his younger brother William, who in turn died leaving only a daughter: that this daughter of William Cary¹³ of Ladford married the venerable Archdeacon William Helyar and had a son who married in 1620 a daughter of William Cary¹⁴ of Clovelly. Notwithstanding that the Ladford line was thus fully accounted for, an attempt has been made (*The Cary Family in England*, Boston, 1906) to identify by mere assertion the William Cary¹³ of Ladford with the William Cary who was mayor of Bristol in 1546. (See *post*, p. 494.)



descendants of John Cary of Kegbear did not have the vigor to hold their inheritance, and so it came to pass that the old hive was abandoned after thirteen generations had called it home during four hundred years. Since 1583 there has been no Cary of Cary.

The Passing of Cary of Cary. Thomas Cary¹³, younger son of the eldest son of the Compostela pilgrim, who was the last Cary of Cary, is named in his grandfather's settlement of 1535 and in the *Inq. p.m.*, 4 Edw. VI, pt. 1, No. 37, taken on the death of his uncle, William of Ladford. As shown by the Visitation of Devon of 1620, he married, like his greatgrandfather the Liegeman of the Red Rose, a Fulford of Fulford, and by her had a daughter and seven sons.

We get glimpses of several of the sons in the State Papers of the reign of Henry VIII. Thus Peter and Richard are seen serving as men-at-arms in the garrison at Calais. The eldest, Gregory, is, however, the most interesting. He followed the sea, is recorded for his privateering achievements, and finally, as appears from Barrow's *History of Discoveries*, had the honor to be one of Sir Francis Drake's company in the *Golden Hind* on the memorable voyage around the world 1577-80, and so was doubtless the first of his race to set foot in the territory of the United States, though in California.

By reason of this multitude of sons and traces of later Carys for whom he had not accounted, Mr. Dymond (*H. & G.*, vi, 7) questioned the Lysons statement that the line had become extinct; but Colonel Vivian (p. 151) shows from the statement of the fifth son, Henry Cary¹⁴ of Launceston (Visitation of Cornwall 1620, *Harl. MS.* 1162 in *Publications*, 1874), that all his brothers had died without issue before 1620, and from the parish register of St. Mary

Magdalen, Launceston, that Henry Cary himself died in 1626, having survived his own two sons. We may take it then as established that the Lysons conclusion, as usually proves to be the case, was correct.

The mother of the sons of Thomas Cary¹³ died at Cary and was buried in the church of St. Giles in the Heath, where, in the pavement of the south aisle, there is a stone with the following inscriptions, now almost obliterated by passing feet:

Here lyeth Elizabet Cary, the wyeff of Thomas Cary Squire, daughter of Sir John Fulford, Knig., who dyed the xxiiii day of November, the yr. of our Lord God 1565.

And the said Thomas Cary died the last day of June A^o Dⁿⁱ 1583 and lieth buried in the Cathedral Church of Saint Peter's within the City of Exon.

Mr. Dymond gives also (*H. & G.*, vi, 9) an inscription from the nave of Exeter Cathedral:

Here lyeth M. Thomas Cary, latte of St. Giles in Deuen, who dyed the last day of June, 1583.

which facts Colonel Vivian confirms by reference to the parish register of St. Kerrian's Exeter.

The *W. M. Cary Notes* contain calendars of the wills of Thomas Cary¹³ and Beatrix Jermyn, his second wife and widow, dated 1583 and 1604 (*P.C.C. Butts*, 8, and *Hayes*, 20), which are not mentioned by either Mr. Dymond or Colonel Vivian. From these it appears that after the death of his first wife, Thomas Cary removed from "Cary barton," as he calls it, to Heavitree near Exeter, and there died. He leaves to his daughter Mary Pruste, "a gold ring set with a diamond and my best gr^t pan & feather bed, with a bedstead now in my house at Carye, wh. I was wont to lie in: 1 cupboard standing in my chamber at Cary: one gr^t chest also at Carye & my best cambricke sheets with pillow beares belonging to same," and he creates a fund of £70 to be kept by the Executor, "out of which to pay £7.yrly. to my



brother John Carye for his life, which I ought to pay him out of the barton of Cary."

He entails Cary and his other real estate (including lands at Holwell, which was the patrimony of the Chief Baron's wife) on his sons Peter, Henry, Fulford, Richard, Andrew, and Gregory. He directs that he shall be buried in the church of St. Giles in the Heath, and leaves 10 shillings "for repair of sa ch."

What gives salt to the study, henceforth, of the Cary family history, so far as relates to Devon, is that among the two lines of the Compostela pilgrim's foundation which survived the civil wars, *temp.* Charles I, there was a racy separation in religious and political faith, extending to all the principal controversial questions which color the subsequent history of the English people as a whole.

While never conspicuous in public life, this family continues to exhibit typical Englishmen in historical crises, and, what is more significant, henceforth on both sides. Thus most of them became Protestants during the reign of Elizabeth; but Sir Edward Cary of Marlton, the immediate ancestor of the families which still flourish at Tor Abbey and Follaton, then remained steadfast to the faith of his fathers, as have his descendants ever since: with their religion these Carys combined Jacobite politics so long as there was hope of a Stuart dynasty, and thereafter were Tories.

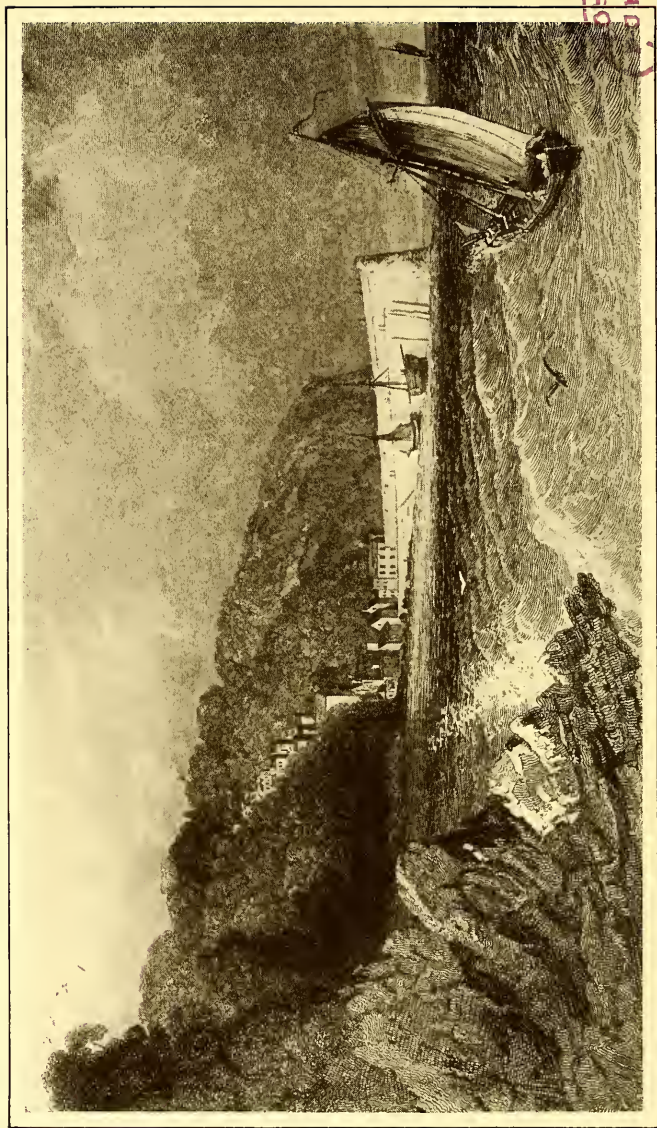


The old lord deputy at Cockington had meanwhile shown himself a vigorous anti-papist: among his Church of England successors at Cockington who subsequently sacrificed their heritage to their loyalty, we find, what might well be a natural development of his prejudices, a clergyman, almost the last representative of his line, who, under economic pressure during the Commonwealth days, turned to Presbyterianism. Finally, at Clovelly in the youngest branch of the Compostela pilgrim's family, we see still another thoroughly typical and progressive development of English faith and politics. Catholic members of Parliament, *temp.* Philip and Mary, but Protestant in the day of Elizabeth, loyal always to the crown, ultimately they espoused the extreme Church-and-King politics of Laud and Strafford, and so, of course, like all their cousins, were Cavaliers when it came to civil war. During the Commonwealth they paid composition, retaining their estates and with them their opinions. At the Restoration they were convinced adherents of the re-established Anglican Church and of "the Country party," which dominated Parliament during the reign of Charles II, and so, in intense hatred of popery gradually developing into resistance of the crown, they became Whigs. Finally taking part against James II, while their cousins at Tor



Abbey made sacrifices in his behalf, they participated in the revolution of 1688, and thereafter, until extinction overtook them *temp.* George I, were part of the triumphant Whig aristocracy which Macaulay glorified.

Thus we find among the descendants of the Compostela pilgrim, who swarmed from the ancient hive, every typical variety of religious and political experience in English life during the two centuries which followed his economic experiment, except radical Puritanism. When the ghost of that survivor of the middle ages now revisits the glimpses of the moon he must chuckle as he contemplates that those of his progeny who have persisted longest have adhered most closely to his own opinions. This curious fact may also suggest some reflection to the exponents of the evolutionary philosophy of modern democracy.



CLOVELLY QUAY



CHAPTER TEN

THE WHIG NURSERY AT CLOVELLY

Clovelly is one of the ancient manors of Devon. It was the site of an important Celtic *caer* whose earthworks still survive. According to the Domesday book, in which it is called Cloveleia,¹ it had belonged before the Conquest to the Gloucestershire thegn Brihtric, who had his chief seat at Bristol. The old story, which modern research is unable to confirm,² has it that this Saxon lord had been an ambassador in Flanders, and then refusing an offer of marriage from that spirited young lady the Countess Matilda of Flanders, won her undying hatred: when the Duke William of Normandy, who did marry her, had conquered England, the revengeful

¹ *Exon Domesday* in Victoria History, *Devon*, i, 412.

² Thierry (*Conquete de l'Angleterre*, liv, iv) gave currency to the story on the authority of some monkish gossip preserved in Dugdale's *Monasticon*, and so excited Freeman's scorn (*Norman Conquest*, iii, 83; iv, 762). It will be recalled that in his Oxford lectures Freeman thundered from his Teutonic Olympus: "I would warn everyone, save the most advanced students, to forbear from reading Augustine Thierry"; and yet Thierry continues as pabulum of the "general reader," and, indeed, has recently been reproduced in the convenient Everyman's Library, while Freeman is still the mine of the specialist. Such are the vicissitudes of "truth."



Matilda demanded for herself the estates of Brihtric. Be this romantic tale as it may, the Queen Matilda certainly appears in Domesday as the owner of the extensive property in Gloucestershire and Devon which had belonged to Brihtric, including Clovelly. Although claimed by her son Henry (afterwards Henry I) as an inheritance from his mother, these rich estates were by the Red King erected into the honour of Gloucester and bestowed on Robert Fitzhamon, whose daughter brought them in marriage to Robert Fitz Roy, the favorite bastard son of Henry I, in that respect created Earl of Gloucester: to him succeeded by inheritance the great family of Clare. Carved out of this old fee, Clovelly passed in time to the Giffards, *temp.* Henry III, then to the Stauntons (as appears from the fact that a Staunton made a presentation to the living in 1362), then by marriage of a Staunton heiress to John Crewkern,¹ and at last by another marriage to Richard Bosun. We have seen that it became a Cary possession before 1388 through the marriage of William Cary, brother of the Chief Baron, with the heiress of Bosun; that after the attainder of the Chief Baron, *temp.* Richard II, Clovelly was the foundation of the renewed fortunes of his eldest son, who succeeded his uncle; and that it continued to be a Cary estate, though

¹ Pole, *Collections*, etc.



not their chief residence, until, surviving the attainer of the Wars of the Roses, Robert Cary, the Compostela pilgrim, made it his seat during a long life. After him Cary of Clovelly became a distinct branch of Cary of Devon, living in great dignity as private gentlemen for six generations and nearly two centuries.

It so happened that long after the last Cary, who called himself lord of the manor of Clovelly, had gone to his eternal rest, bidding his ancestors to lie a little closer to make room for him beneath their series of elaborate monuments in their parish church, two popular modern authors "discovered" Clovelly: as a consequence the place has become a favorite holiday resort for tourists in search of the picturesque. The village is, indeed, unique. Its general situation on the sheer descent of a high wooded cliff, facing the Atlantic through the horns of Bideford Bay, with Lundy Island in the offing,¹ has been well compared with the "*in secessu longo locus*," where Æneas and his surviving storm-wracked comrades found a haven after Neptune had rescued them from the malice of Juno:²

¹Old Leland in his *Itinerary* (ed. Toulmin-Smith, 1907, i, 299) describes it in 1535: "Bytwix the mouth of Tawe and Hertley Point lyith a very cumpasid bay, and almost in the midle thereof is a place caullid Clovelle, whereabout Carye dwelleth: and here is the neerist trajectus into Lunday Isle."

²*Æneid*, i, 159. We quote Taylor's spirited version. The local guide-books of North Devon even maintain that Virgil was describing Clovelly itself because there are remains of a Roman fort on the upland there. Servius says that, of course, there was no such



In a far retreat
There lies a haven: towards the deep doth stand
An island, on whose jutting headlands beat
The broken billows, shivered into sleet.
Two towering crags, twin giants, guard the cove,
And threat the skies. The waters at their feet
Sleep hushed, and like a curtain frowns above
Mixed with the glancing green, the darkness of the grove.

Beneath a precipice, that fronts the wave
With limpid springs inside, and many a seat
Of living marble, lies a sheltered cave
Home of the Sea-Nymphs.

A substantial part of the value of the manor of Clovelly has always been the feudal right with respect to the fisheries off its shore. Herring and mackerel there abound, and old Prince says that there were also cod which surpassed in quality if not in quantity those of the Newfoundland banks.

Until the end of the sixteenth century this fishery was carried on under difficulties, for the only landing-place in the neighborhood was the narrow strip of shingle formed by the cascade of the brook Severn in its plunge through a steep winding combe, to the foot of the cliff below Clovelly Court. The lord of the manor, at that time George Cary, describes in his will,¹ dated

place on the coast of north Africa, but by a justifiable poetical fiction Virgil has described the harbor of *New Carthage* in Spain and that it is a true description.

¹P. C. C. *Montague*, 40.



August 9, 1601, what his enlightened selfishness and enterprise induced him to do for this situation by way of contribution to the fishing industry:

I have of late erected a pier or key in the sea and river of Severne upon the sea shore, near low water of the said seas, within or near about one-half mile of my said capital messuage of Clovelly, and also divers houses, cellars, warehouses and other edifices, as well under as in the cliff and on the salt shores of Clovelly aforesaid, and also near above the cliff there, which standeth and hath cost me about £2,000., and which place was of none or very small benefit before my said exertions and buildings.

This quay, which stands to-day, gray and storm-worn, is the economic reason for the existence and prosperity of the village of Clovelly: it provides a safe and convenient harbor for fishing-boats on an exposed shore. But George Cary did more than make sure that his shore right should be a profit to his estate: he called into existence a hamlet of which in time it was to be complained "there are artists and dust-bins in every corner."

The fishermen, of course, wanted to live near their boats, and so they built their houses one above the other from the quay all the way up the steep combe: at first on either side of the rocky torrent; later the water was diverted to what has since been known as Freshwater Cascade, and the dry bed of the original stream was converted



into a series of terraces, or rather broad steps paved with cobbles, constituting the village street, which gives Clovelly its characteristic headlong, and so its "quaint," appearance.

It is impossible not to quote the impressionistic descriptions which have drawn so many tourists to the spot. One would supplement them, drawn as they are in winter, only by mentioning the profusion of flowers which in summer make the village gay to the point of intoxication—giant fuchsias, camellia Japonica, and golden mimulus on a background of box, ivy, white stucco, and red tiles.

First Dickens:¹

The village was built sheer up the face of a steep and lofty cliff. There was no road in it, there was no wheeled vehicle in it, there was not a level yard in it. From the sea-beach to the cliff-top two irregular rows of white houses, placed opposite to one another, and twisting here and there, and there and here, rose, like the sides of a long succession of stages of crooked ladders, and you climbed up the village or climbed down the village by the staves between, some six feet wide or so, and made of sharp irregular stones. The old pack-saddle, long laid aside in most parts of England as one of the appendages of its infancy, flourished here intact. Strings of pack-horses and pack-donkeys toiled slowly up the staves of the ladders, bearing fish, and coal, and such other cargo as was unshipping at the pier from the dancing

¹Dickens went down to Devon in November, 1860, in deliberate search for material for the ensuing Christmas number of his magazine *All the Year Round*. The resulting description of Clovelly is in the tale called *A Message from the Sea*, included in the collected *Christmas Books*.



fleet of village boats, and from two or three little coasting traders. As the beasts of burden ascended laden, or descended light, they got so lost at intervals in the floating clouds of village smoke, that they seemed to dive down some of the village chimneys, and come to the surface again far off, high above others. No two houses in the village were alike, in chimney, size, shape, door, window, gable, roof-tree, anything. The sides of the ladders were musical with water, running clear and bright. The stairs were musical with the clattering feet of the pack-horses and pack-donkeys, and the voices of the fishermen urging them up, mingled with the voices of the fishermen's wives and their many children.

The pier was musical with the wash of the sea, the creaking of capstans and windlasses, and the airy fluttering of little vanes and sails. The rough, sea-bleached boulders of which the pier was made, and the whiter boulders of the shore, were brown with drying nets. The red-brown cliffs, richly wooded to their extremest verge, had their softened and beautiful forms reflected in the bluest water, under the clear North Devonshire sky of a November day without a cloud. The village itself was so steeped in autumnal foliage, from the houses lying on the pier to the topmost round of the topmost ladder, that one might have fancied it was out a bird's-nesting, and was (as indeed it was) a wonderful climber. And mentioning birds, the place was not without some music from them too; for the rook was very busy on the higher levels, and the gull with his flapping wings was fishing in the bay, and the lusty little robin was hopping among the great stone blocks and iron rings of the break-water, fearless in the faith of his ancestors and the Children in the Wood.

Kingsley follows in similar vein:¹

¹ Charles Kingsley's father was rector of Clovelly from 1830 to 1836, and the boy spent several impressionable years there, which



Take the steepest hillside with which you are acquainted: let the Atlantic roll at its base; cover it with ancient trees and tangled undergrowth to its summit; suppose a brawling stream to fall in a deep and narrow channel from the heights to the shore; in your mind's eye people its banks with a straggling village of irregularly shaped lichen covered cottages, and on so sharp an incline that the base of the one is on a level with the roof of its neighbour; pave the street with miniature boulders from the shore, arranged in a series of terraces; and terminate the descent by an antique pier of wave worn stones, from which the only approach to the sea at low water is by ladders, whose perpendicular depths may well startle the inexperienced traveller: and then you would obtain something which would resemble Clovelly, if it were not, indeed, unique in its singular construction and beauty and did not surpass all descriptive powers, whether of pen or pencil.

With these pictures of the locality in mind, let us now turn back and take account of the Carys to whom it belonged during the sixteenth and seventeenth centuries.¹

ROBERT CARY¹² (1513-1586) of Clovelly, son of the third marriage of the Compostela pilgrim, lived a dignified life as a prosperous country gentleman and magistrate, founding a family

flowered later in his stirring tale *Westward Ho!* This novel has become a North Devon classic. It is a matter of interesting association that Kingsley's daughter, who writes under the pen name of "Lucas Malet," lived also for some years at Clovelly, the wife of another rector of that parish.

¹The best pedigree of Cary of Clovelly, founded on the Visitation of 1620 and extended, by parish registers, to 1724, is in Vivian, 157-159. For the monuments and their inscriptions in Clovelly Church see Rogers, *Sepulchral Effigies*, 321, 241. The

PLATE II CARY OF CLOVELLY

XII ROBERT 1513-1586
of Clovelly, M.P.
"the Black Assize"
See Plate I

XIII GEORGE 1543-1601
of Clovelly
Sheriff of Devon
Built Clovelly quay

JAMES 1550?-1632
of Bideford
a quo the Hampstead
Carys
See Plate IX

FRANCIS
of Alwington
a quo Cary of
Redcastle, Ireland

XIV WILLIAM 1576-1652
of Clovelly
"Westward Ho!"

HENRY, *o.s.p.m.* 1662
of Potters Bar, co. Middle-
sex

XV SIR ROBERT 1610-1675
of Clovelly
*Gentleman of the Privy
Chamber of Charles II*
o.s.p.

GEORGE 1612-1681
of Clovelly, D.D.
Dean of Exeter

XVI SIR GEORGE 1654-1685
of Clovelly, M.P.
o.s.p.

WILLIAM 1661-1710
of Clovelly, M.P.

XVII ROBERT 1697-1724
of Clovelly
o.s.p.

WILLIAM 1698-1724
of Bristol
o.s.p.



and otherwise doing his duty as he saw it. Judged by his will,¹ which is the chief human document we have for him, he was pious, self-important, and without much sense of humor. He went to the first Parliament of Queen Mary in 1553 as a burgess for Barnstaple.² He married Margaret Milliton, widow of John Giffard of Yeo, and in 1561, as the "father-in-law" of her daughter Wilmot, arranged the divorce of which we are to hear again.³ In 1567 he was one of the overseers of the will of his brother Thomas Cary of Cockington.⁴

By his own will dated August 15, 1579,⁵ he provided:

As concerning my funeral or sepulture of my body when my soul shall be severed from it, considering that in the Scriptures there seemeth some mention of it, I commit the order and disposition thereof to my executrix, with this: that if I chaunce to die at Clovellye, then I wish my buriale to be as near to the buriale of my father and mother in the chancel at Clovellye Church as it may be. If it chance me to die at any other place, then my executrix shall do with me what she wills.

wills are all calendared from the P.C.C. records in *W. M. Cary Notes*. There are characteristic and sympathetic sketches of Dean Cary and his brother Sir Robert in Prince's *Worthies of Devon*.

¹ P.C.C. *Windsor*, 23.

² *Return of Members of Parliament*, 1879. See also his deposition on Wilmot's divorce. (*H. & G.*, viii, 116.)

³ *Post*, p. 196.

⁴ P.C.C. *Stonard*, 11.

⁵ Proved May 3, 1586, P.C.C. *Windsor*, 23. See also his *Inq. p.m.*, 30 Eliz., pt. i, No. 23.



He did chance to die at another place than Clovelly and under circumstances which left a deep impression on all Devon. At the spring assizes in Exeter in March, 1586, the jail-fever was brought into court by some unhappy criminal and communicated to the entire court-room. The judge, eight justices of the peace who sat with him, and all the jury except one fell victims. That term of court has ever since been known as the Black Assize. Robert Cary was one of the justices on the bench and one of the victims.¹ He died April 1, 1586, at his house at Exeter, which he mentions in his will, but in accordance with his desire his widow (who was, he says, "the natural mother" of all his children and the mother also of Wilmot Giffard who married his nephew, the lord deputy) had him buried at Clovelly, and there in the chancel under a large monument still lies *Robertios Carios, Armyer*. His eldest son,²

GEORGE CARY (1543-1601), was educated in the law at the Middle Temple, being entered

¹ This was the precedent for the taking off of Amyas Leigh's father in Kingsley's novel.

² Robert Cary¹² of Clovelly had six sons and several daughters. In addition to the eldest, George, who succeeded at Clovelly, the sons were Robert of Creedy, Gabriel, Thomas, James of Bideford, and Francis of Alwington. The two last named left descendants whom Colonel Vivian has traced with his customary certainty through the North Devon parish registers for several generations or so long as any of them remained in Devon.

George Cary, a son of Francis of Alwington, was educated in the law, migrated to Ireland and there became recorder of Londonderry and M.P. in 1613. He married a daughter of Sir Tristram



October 24, 1562. He became sheriff of Devon in 1587, the year after he succeeded to Clovelly, and we get glimpses of him at home in *Westward Ho!* He married three wives, a Stretchley of Stretchley, a Bampfylde of Poltimore, and, in 1587, a Russell of Sussex.¹ His life-work was the building of the quay which we have described, a monument more useful and not less inspiring than those of any of his kin in Clovelly Church.

WILLIAM CARY (1576-1652), George Cary's son by his first wife, was the "Will Cary" who certified the Cary pedigree for the Visitation of Devon of 1620, and also the "Will Cary" of Kingsley's novel. There is no evidence, however, that the original ever sailed the Spanish Main, though one might wish that he had fought the duel with Don Guzman because it did so much credit to his breeding. Like his father, he read law in the Middle Temple, where he was

Beresford, of the Tyrone family of that ilk, and left descendants who long flourished at Redcastle in Ireland. (See the older editions of Burke, *Landed Gentry*.)

For descendants of James of Bideford in Devon and (tentatively) in London see *post*, p. 696.

¹Catherine Russell, the third wife, survived her husband for many years or until 1633, when a contest of her will (P.C.C. *Russell*, 39) revealed that she was survived by four children by George Cary, three daughters and a son Henry, called of Potters Bar, co. Middlesex, because he had married a daughter of Simon Flaxman of that place. He was probably the Henry Cary "of the parish of St. James, Clerkenwell, Midd^x. Gent." who died in 1662, leaving three daughters, as shown by his will (P.C.C. *Laud*, 77).

admitted November 12, 1596. His son records upon his monument in Clovelly Church that he "served his King and country in the office of a justice of peace under 3 princes, Q. Eliz., K. Jam., and K. Ch. I, and, having served his generation, dyed in the 76 yeare of his age."¹ He married a daughter of Richard Carew² of East Anthony, that altogether delightful combination of scholar and country gentleman, who gave us *The Survey of Cornwall*, "which still remains one of the most entertaining books in the English language." Besides daughters by his Carew wife,³ William Cary had by a second wife,

¹ See his will, P.C.C. *Brent*, 196.

² Prince (*Worthies of Devon*, 187) records what he calls a "facete fancy" of the bride: that on the morning after the marriage, her father, observing her a little sad, awakened her with this question: "What, melancholy, daughter, after the next day of your wedding?" "Yes, sir," said she, "and with great reason, for yesterday 'twas *care you*, now 'tis *care I*:" which, adds Prince in generous explanation, "is much better in pronouncing than writing, alluding to the change of her name from Carew to Cary."

From this it would appear that the names were not always pronounced alike, as they are not now (see *Notes and Queries*, 2 Aug., 1902, p. 92), though the modern records of the Elizabethan generation, which was not nice in its spelling and produced two George Carews and three George Carys, all of note, are badly confused in consequence of the symphony which then obtained.

In that rarest of rare books, the *Responsio veridica* (1672) of a far-wandering member of the Carew family who wrote his own name Thomas Carve (for whom see *Dict. Nat. Biog.*, iii, 1143), there is a curious notice of this phenomenon: "Majores nostri, et agnati omnes, semper se scripserunt *Carew*, aut *Carve*, quae tamen pronunciantur fere ut *Cary*, nam *e* in fine apud Anglos et Gallos raro effertur et *u* non est Consonans sed vocalis et subtiliter pronunciat (sicut apud Gallos) fore ut *i*."

³ Colonel Vivian has shown that one of them, Christian, the first child by Gertrude Carew, born 1603, married 1620 her cousin



Dorothy, daughter of Sir Edward Gorges of Wraxhall, co. Somerset, two sons who were Cavaliers in the civil wars, and survived the troubles and prospered under Charles II. The elder,

SIR ROBERT CARY (1610-1675), followed his father and grandfather to the Middle Temple (admitted 1629); when the time came he served his king, but what part he took we do not know, except that he was "in arms in the first war" and was sometime governor of Bidford for the king.¹ On the Restoration he was knighted and became one of the gentlemen of the privy chamber of the king.² Though no longer young, he lived some years in the midst of a gay and naughty court, and we could wish that he had left us some observations to enliven the family wills and real-estate records, if only, let us say, to supplement the Duke of York's opinion of the advantages of green stockings for ladies.³ This Sir Robert's brother was

Henry Helyar of Ladford, and so refreshed the Cary tradition at that ancient inheritance of the family.

¹He was forced to flee "beyond seas on the discovery of the western plot." (*Cal. Com. for Composition*, iii, 2014.) His M. I. in Clovelly Church says of him that "having served faithfully that glorious Prince, Charles I, in the long civil warr against his Rebelious subjects, and both him and his sonne as Justice of the Peace, died a Bachelor in the 65th yeare of his age. An. Dom. 1675." His will is P.C.C. *Bence*, 109.

²See LeNeve's *Catalogue of Knights in Harleian Society Publications*, 1873.

³*Memoires de Grammont*, 177.

GEORGE CARY (1612-1681), whose record shows the tendency towards the Whig politics which became in his sons the characteristic of this house. He matriculated at Queen's College, Oxford, in 1628 (*ætat* 16), graduated B.A. 1631, and proceeded M.A. 1634.¹ Taking orders, he became, Prince says, "a credit and defense to his profession, for by the piety of his conversation, as well as the dignity of his extraction, he kept up the reputation of the ministry of the Church of England in her lowest condition."² Not being under the pressure of the poverty which then overwhelmed the Cockington family, he did not feel the temptation of his kinsman, Dr. Robert Cary,³ to turn Presbyterian, but during the Commonwealth days stayed at home and officiated, doubtless unlawfully, as rector of Clovelly Church. On the Restoration Charles II made him Dean of Exeter and parson of the rich living of Shobrook, Devon, when he became also doctor of divinity. Prince says that he was twice offered the mitre as Bishop of Exeter. Each time he said "*nolo episcopari*." We may guess the reason for this self-effacement in a line from his brother's will of April 9, 1674,⁴ reciting the

¹Foster, *Alumni Oxonienses*. The Visitation of Devon of 1620 shows him "*æt* 8." (Vivian, 159.)

²For the merit of this characterization of the Church during the establishment of Presbyterianism *cf.* Archdeacon Hutton, *The English Church, 1625-1714*, chapters ix, x, and xi.

³See *post*, p. 282.

⁴P.C.C. *Bence*, 109.



provision he had already made for the doctor in the event "it should so please to alter or change the condition and good estate that my brother now enjoys, through envy to the prosperity of the Church as it is now established and settled by the laws of this Kingdom, whereby he may become ousted of his deanery and parsonage."¹ The Dean was not a moral hero and had no ambition to be a shining mark at a time of possible new revolution, yet he belonged to "the country party" which triumphed in the revolution of 1688. He was not ousted, but lived out his life as a comfortable pluralist.

It was the period of physical restoration of cathedrals and churches throughout England, to redeem them from the dilapidation of the Commonwealth. Dean Cary was a great builder. Prince says that he made his deanery at Exeter

¹The Royalist Parliament of the Restoration had in "Clarendon's Code" allowed itself to lose its opportunity to reunite the English Church. The Act of Uniformity might have been swallowed by most of the English Presbyterians, as it was by enough of them to reduce their doctrine to a sect, but the Conventicle Act of 1664 and the Five Mile Act of 1666, with the resulting persecutions, so alienated all the extreme nonconformists that in the early years of the reign of Charles II there was danger of a new turn of the wheel in their favor. On the other hand, the Anglicans justly feared that the king's Declaration of Indulgence of 1672 was intended to be the entering wedge of a new Roman domination: they met it with the Test Act of 1673, and so hurried on the disgrace which Titus Oates and the mob brought on England, when Parliament resolved that there was "a damnable and hellish Plot . . . for subverting and rooting out and destroying the Protestant religion." It was in the midst of these two fears for the future of the Anglican Church, but perhaps chiefly of the latter, that Sir Robert Cary made his will.

“a palace fit for a king,” and likewise rebuilt the parsonage at Shobrook. After his brother’s death the old house at Clovelly was destroyed by fire (with all the family portraits) and Dean Cary had the pleasure of completing in 1680, the year before his death, a new Clovelly Court.¹ Perhaps he built also his own monument in the church, certainly he must have been responsible for the long turgid Latin inscription. By his wife Anne, daughter of John Handcock of Combe Martin, the Dean had five sons besides several daughters.² The two eldest sons both succeeded to Clovelly, SIR GEORGE CARY (1654–1685), knighted in his father’s lifetime, and WILLIAM CARY (1661–1710). Sir George sat in Parliament for the borough of Okehampton in 1680, and upon his death³ was followed (1685) in the same borough by William, who,

¹In 1789, after Clovelly had passed into the possession of the Hamlyns, the Dean’s house also was destroyed by fire. The present Clovelly Court dates, therefore, only from the end of the eighteenth century. (Drake, *Devonshire Notes and Notelets*, 1888.)

²They are identified by the wills of their uncle Sir Robert, and of their father (P.C.C. *North*, 161). Their mother survived them all (P.C.C. *Gee*, 238). The younger sons were Nicholas, a London merchant, who died a bachelor in 1686 (P.C.C. *Admon. Act Book*, 1686); Edward, rector of Silvertown and subdeacon of Exeter, who died *s.p.m.* (P.C.C. *Admon. Act Book*, 1695); and Robert, who died unmarried a major in the wars in Flanders under the Prince of Orange, afterwards William III. One of the daughters, Dorothy, married, 1671, Thomas Harris (1643–1679) of the close of Salisbury, progenitor of those able diplomatists the earls of Malmesbury. (See *Collins Peerage*, ed. Brydges, v, 422.)

³See his will, P.C.C. *Cann*, 18, and that of his widow, P.C.C. *Lort*, 210, showing that he died without issue surviving.



after an interval of the Parliament of the revolution (while he was doubtless making up his mind as to his future politics), sat continuously for the remainder of his life (1695-1710) as burgess for Launceston, a staunch supporter of the dominant Whig party. By a gradual and characteristic political development he had broken not only with his kinsmen at Tor Abbey, but with the general family tradition as represented in his day by the West Country politics of the Courtenays, Seymours, and Portmans. He had been entered at Exeter College, Oxford, in 1677, evidently intending as a younger son to take orders, but gave over the church when he succeeded his brother as squire at Clovelly. He died while in attendance on Parliament and was buried at St. Martin's in the Fields, Middlesex. His life was apparently involved by financial difficulties, for by his will¹ he directed that a debt of some £800 he owed "Mr. John Northmore, of Okehampton, Devon, be paid with what privacy and convenience may be," and acknowledged himself to be considerably indebted also to his executor, John Perryman, of London. Perhaps Clovelly had already passed out of his hands. He had two sons who survived him,²

¹P.C.C. *Young*, 4.

²By his second wife, Mary, daughter of Thomas Mansell of Briton Ferry, co. Glamorgan, who was buried at Clovelly in 1701. His first wife, Joan, daughter of Sir William Wyndham of Orchard-Wyndham, co. Somerset, had died a girl of eighteen, *s.p.* in 1687. (P.C.C. *Admon. Act. Book*, 1688.)

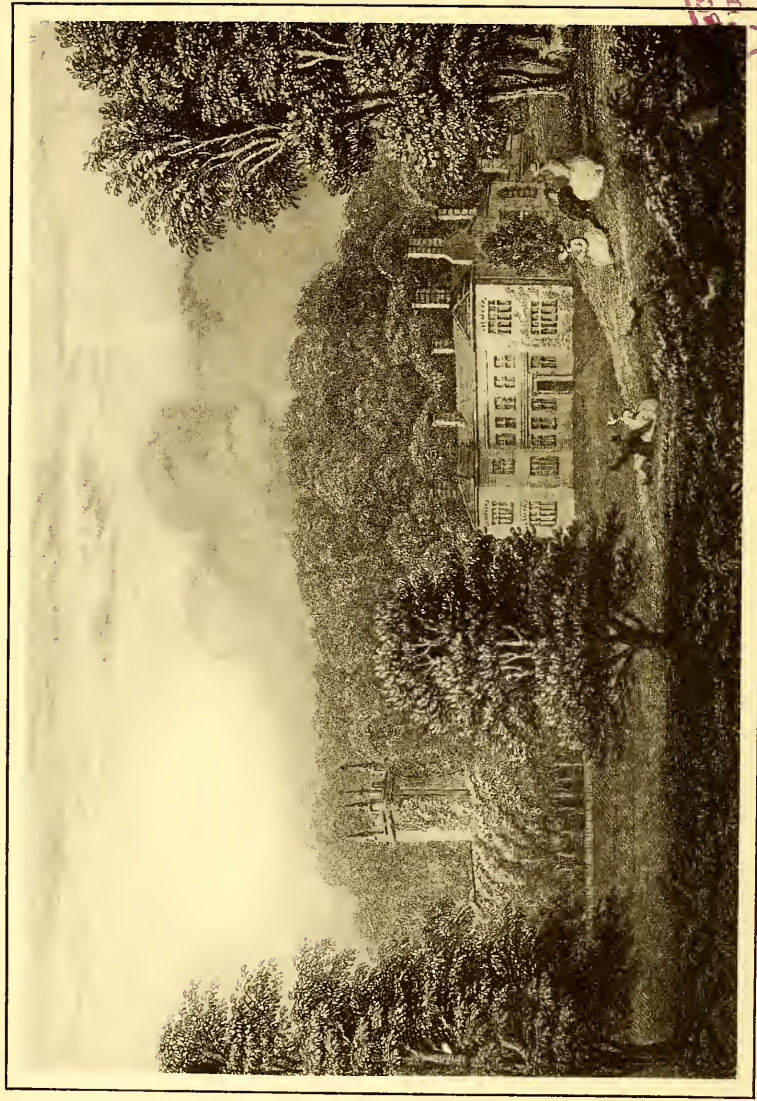


ROBERT CARY (1697-1724), who matriculated at Exeter College, Oxford, in 1715, and is the last Cary buried at Clovelly, and WILLIAM CARY (1698-1724), apparently a merchant, who is buried in Bristol Cathedral. Both died young and without issue. Their sister Elizabeth, wife of Robert Barker, of Ashmore, co. Dorset, died in 1738, the last of her race.

After nearly three hundred and fifty years Cary of Clovelly was now extinct. The manor passed to other names, and the swan in time became a Gosling.¹

¹In 1724 Clovelly was purchased by Zachary Hamlyn, a successful merchant whose mother was, says Sir William Richard Drake (*Devonshire Notes and Notelets*, 1888), Gertrude Cary, daughter of the Rev. Thomas Cary and granddaughter of Thomas Cary of Great Torrington. The Rev. Thomas Cary in question matriculated at Exeter College, Oxford, in 1638, giving his father's name as Thomas Cary of Torrington. There was one of this name and description who paid composition for his estate during the Commonwealth, and who may have been of the Bradford family. (See *post*, pp. 192, 291.) At all events it seems clear that Zachary Hamlyn brought to Clovelly an infusion of Cary blood to carry on the tradition there, and that he was unable to maintain it. Zachary Hamlyn "died without issue," says Mr. Baring-Gould (*Devon*, 1907), "and bequeathed the manor to a nephew, James Hammet, who assumed the name of Hamlyn. The heiress married a Colonel Williams, who took the name of Hamlyn-Williams. The heiress of this union married a Fane. Finally, Miss Fane, the last heiress, married a Mr. Gosling, who took the name of Hamlyn, but has recently died without issue."

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COCKINGTON COURT

CHAPTER ELEVEN

THE LORD DEPUTY OF IRELAND

It will be recalled that the Compostela pilgrim assigned to his second son Cockington¹ and Chilston, his estates on Tor Bay. This THOMAS CARY (1505?-1567) was one of the children of his father's first wife, Jane Carew.² He was a bachelor at the time of his father's settlement of

¹ *Cockington* is a Domesday manor which, held by one Alric *temp.* Edward the Confessor, was acquired after the Conquest by the Norman William de Falaise. It had paid geld for three hides, but was found by the Domesday commissioners to include land sufficient for thirteen ploughs, making it even then an estate of importance. (See *The Devonshire Domesday*, Plymouth, 1884, ii, 730, and Victoria County History, *Devon*, 490.) After William de Falaise, Cockington passed to Robert Fitzmartyn: he gave it to his younger son Roger, *temp.* Stephen, who thereupon assumed the surname *de Cockington*. In the seventh generation of successive lords of the manor of this name, Sir James Cockington died without issue, *temp.* Edward III, and the property passed to Sir Walter de Woodland, a servant of the Black Prince, from whose heirs it was purchased by Sir John Cary in 1374. (See *Pole*, 278; *Risdon*, 147; and *Cal. Tor Abbey Mun., H. & G.*, vi, 14.) For the ensuing two hundred and seventy-two years Cockington was held by Cary of Devon. In the civil wars, *temp.* Charles I, it passed to the Mallocks, who have since held it. (See Burke, *Landed Gentry*, 1914.) This ancient manor has therefore been held for at least eight hundred and fifty years by three successive families in nearly equal terms.

² She was a daughter of Sir Nicholas Carew, of Mohuns Ottery, called Baron Carew, brother of that gallant soldier Sir Edmund Carew (1464-1513), who supported Henry VII, was knighted on Bosworth Field, and in 1497 defended Exeter against Perkin Warbeck.

The genealogical authorities for the Cockington Carys are Mr.

1535, but upon the assurance of that instrument soon thereafter married Mary, daughter of John Southcott of Indio, Bovey Trácy. He had six sons¹ and four daughters: the eldest being Sir George Cary, born soon after his father suc-

Robert Dymond's studies in *H. & G.*, vi (1871), 1, and viii (1874), 81; and Colonel Vivian (1884, pp. 151-152). The patient work of the latter among the parish registers is an especial boon; but it was reserved for the *W. M. Cary Notes* (1907) to demonstrate from records in London what was the final fate of the last Cary of Cockington, the distressed Cavalier, Sir Henry.

¹ *The sons of Thomas Cary, of Cockington.* In the order of their enumeration in their father's will, in the Visitation of Devon of 1620, and the Visitation of Staffordshire of 1664, they were:

- I GEORGE, the Lord Deputy. It does not appear whence his father took the name, but it was apparently epidemic, for that generation produced a large crop of Georges for England. Heretofore unprecedented among the Carys, George long persisted as a name at Cockington and Tor Abbey, and spread thence to Clovelly, reversing the history of the Compostela pilgrim's Robert. These names were reproduced under similar influences and afford interesting illustrations of the human and respectable appreciation by a family connection of their conspicuous generations of successful accumulation and generous distribution.
- II ROBERT, of Bradford, who is recorded by Col. Vivian to have died *s.p.*, but whose will of July 13, 1609 (*H. & G.*, viii, 110), shows that he left an invalid son Robert. There is a record (*H. & G.*, viii, 105) in 1625 of a deed by a "Thomas Cary, son of Edward Cary, of Bradford," from which it seems probable that this Robert¹³ of Bradford left also a son Edward not mentioned in his will, who in turn left a son Thomas, and that this line persisted with another Edward until the times of the Troubles. (See *post*, p. 291.)
- III RICHARD, of the Inner Temple, who died a bachelor in 1622, *Inq. p.m.*, 20 James I, pt. 2, No. 41, for whom see *post*, p. 260.
- IV JOHN, called "of Dudley," who is not named in his father's will, for whom see *post*, p. 261.
- V GREGORY, who married but left no sons and was buried at Staverton, 1616 (Vivian, 151).
- VI ARTHUR, who was living in 1584, but although he is named in the Visitation of 1620, must have been dead without issue before the settlement of the Lord Deputy's estate in 1617, when the entire family was marshaled, as there is then no mention of him.

ceeded to Cockington, whose career we are about to relate, and the fourth son that John Cary, called "of Dudley," through whom the existing families of Tor Abbey and Follaton descend.

Thomas Cary appears to have been a prudent man of business and to have augmented his inheritance. We have record of his acquisition by purchase of two of the manors which had long been inheritances of his ancestors, Northlew and Ashwater,¹ and he had profitable transactions with his neighbor the last abbot of Tor, before the dissolution of the monasteries.² He made a will on January 17, 1566,³ died and was buried in the chancel of Tor Mohun Church,⁴ where his tomb bears the following inscription:⁵

Hic jacet
Thomas Carius Armiger,
Qui obiit 27^o die Martii
An^o domini 1567.
Cuius animae deus propitiu.'

Like his father he was a good Roman Catholic.

¹ *Cal. Tor Abbey Mun., H. & G.*,
vii, 117; and Vivian, 151.

² *H. & G.*, viii, 119.

³ *P.C.C. Stonard*, 11.

⁴ Tor Mohun Church took its name from Reginald de Mohun (d. 1258) of the Somerset family, whose mother was a daughter of the William Brewer who founded Tor Abbey, whence he inherited Brewer's manor of Tor. While Tor Mohun has always been the parish church of Cockington (that bearing the name Cockington being merely a chapel of ease), it does not appear why his son buried Thomas Cary (as he did later his own wife also) in Tor Mohun in preference to Cockington, where he himself lies; but after the Carys acquired Tor Abbey several others of them were there buried or have been commemorated by monuments.

⁵ Dymond, *H. & G.*, vi, 9.

His eldest son,

SIR GEORGE CARY¹ (1541-1617) of Cockington, born² a subject of Henry VIII in the same year as that greater Devon man Sir Francis Drake, and growing up through the reigns of Edward VI and Mary,³ had an interesting public career under Elizabeth and James I. He did

¹ Sir George Cary of Cockington is one of that select company of Englishmen of achievement for good or for evil who have been omitted from the curious and useful pages of Sir Leslie Stephen's *Dictionary of National Biography*. This omission is a distinction, like the failure to be assessed for taxation, due not to personal privilege, but obviously to accident. He is, however, the subject of sympathetic notices by old Prince in his *Worthies of Devon* and by Mr. Robert Dymond in *Transactions of the Devon Association* (1873), vi, 276, but neither had access to the sources now available. Unless otherwise noted, the authorities here used are, on the public side, the series of calendars of *State Papers*, Domestic, and *State Papers*, Ireland, for the appropriate years; and, on the private side, Mr. Dymond's calendar of parish registers and the Tor Abbey muniments.

² The evidence for his birth in 1541 is conclusive. The *Inq. p.m.*, 9 Elizabeth, No. 26, taken on his father's death in 1567, records him to be then "aged 26 years." (See Vivian, 151.) Mr. Williamson, *History of Portrait Miniatures*, i, 32, interprets the inscription on Isaac Oliver's miniature of him as "Free from all filthie fraude. Anno Dmi. 1581, Aetatis snae 57." This must be a misreading of the obscure text so far as concerns the age. The date is clearly legible, but it might be either 1581 or 1587. Mr. Lionel Cust says (*Dict. Nat. Biog.*, reissue ed., xiv, 1040) that the earliest known miniature by Isaac Oliver, with a date, is one of 1583. If, as so seems likely, the date is 1587, it would have been painted in George Cary's forty-seventh year, just after he had finished his work on the Dover defenses when there would be occasion for the motto. The portrait itself is of a man clearly younger than fifty-seven.

³ Fortunately for himself, George Cary was too young in 1553 to be involved in his kinsman Sir Peter Carew's Protestant plot against Mary, which included a plan to kidnap the Princess Elizabeth, carry her off to the West Country and there marry her to Edward Courtenay, Earl of Devonshire. Devon was then in a ferment. See the graphic glimpses of local history in Froude, *Mary Tudor*, ch. ii.



not go to either of the universities,¹ but at eighteen his father sent him up to London and entered him at the Inner Temple to study law, in the very month of the accession of Queen Elizabeth.² It was then, doubtless, that he first met Francis Walsingham, ten years his senior, who, after an educational self-exile on the continent during Mary's reign, in 1558 returned to England to commence statesman. Walsingham's mother had married George Cary's kinsman Sir John Cary "of Plashy," and this association perhaps led the elder lawyer to take an interest in the student, and to initiate him in the doctrines of the Reformation. He made other acquaintances among the older men then at the bar, some of them destined to the most distinguished legal careers. The immediate impulse to the law doubtless came with maternal blood. George Cary's grandfather John Southcott is described in the Visitation of 1620 as "Clerk of the Peace," but he had a close kinsman and contemporary of the same name who had achieved a large law practice in London and in time became a distinguished judge of the Queen's Bench³ and so

¹ Roger Ascham, writing in *The Scholemaster* (1570), says: "If a father have foure sons, three faire and well formed, both mynde and bodie, the fourth wretched, lame and deformed, his choice shal be to put the worst to learning, as one good enough to becum a scholer. I have spent the most parte of my life in the Univer-sitie and therefore can beare good witness that many fathers commonlie do thus."

² Joseph Foster's MS. notes of the admission register.

³ Prince, *Worthies*, 717.

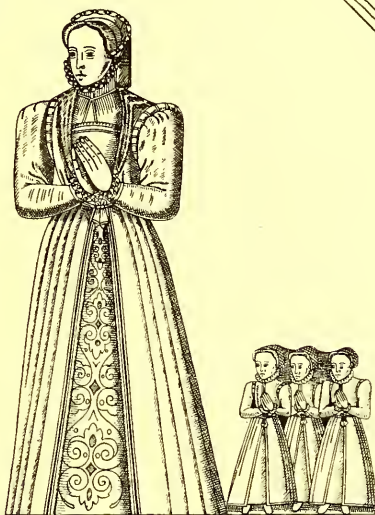
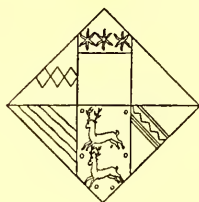
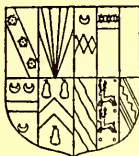


may have held out inducements. But if George Cary ever had any intention of practising law he soon abandoned it: he preferred the maxim which Major Pendennis afterwards formulated for another law student: "A woman with a good jointure is a doosid deal easier a profession than the law, let me tell you!"

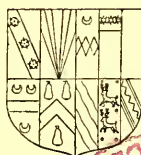
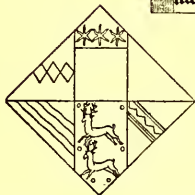
That he developed early the characteristics of canniness and disregard of the opinion of his fellows, with which he was reproached at the end of his career, is evident in his marriage. Before he came of age he took to wife a great heiress whom it was necessary to disentangle from an unhappy prior engagement. For all the experience of Henry VIII and his brother-in-law the Duke of Suffolk, or perhaps the more because of it, a divorce in England in the sixteenth century was rare, and we can imagine that George Cary's start in life was attended by no little wagging of the tongues of contemporary Devon gossips.

Wilmot Giffard¹ of Yeo, in the Clovelly neighborhood, was the heiress of a Norman family established in Devon since the Conquest, kin to those great feudal barons the Clares, earls of Gloucester and Hertford. Her father died the

¹There is an exhaustive account of all the branches of the Giffard family in *Historical Collections . . . Staffordshire* (*Publications* William Salt Society), N. S., v. (1902). Wilmot, as a feminine form of William, was a favorite name in the west of England.



tumulatur Wilmota Cary uxor Georgii Cary
 Cockington Armigeri filia et uirga heres s
 unius domus de pro Armigeri que postquam
 s duos filios tres ex marito suscepit in
 mo obdormivit xxi die Junii Anno dni 1581



TOMB OF WILMOT GIFFARD

1540-1581

WIFE OF SIR GEORGE CARY, OF COCKINGTON, IN TORMOHUN CHURCH



year she was born, 1540, and she inherited many manors in Devon; she was evidently a young lady destined to attract the attention of ambitious fathers of promising sons. And so about the end of November, 1553, being then just turned thirteen years of age, she was married to John Bury of Collaton, a youth but six weeks her senior. The marriage was never consummated. In an instrument executed seven years later Wilmot refers to her boy husband as one "to whom, contrary to the laws of God and the Ecclesiastical Canons, I was, in my tender years, unfortunately married." When she was twenty years of age the marriage was acknowledged a failure. Proceedings were then instituted to secure an annulment. In the arrangements Bury was represented by Lewis Pollard, and Wilmot by her "father-in-law" Robert Cary of Clovelly, her mother's second husband. These two agreed to an arbitration by Sir John St. Leger and Sir John Chichester as to the property rights, and on their award, dated May 2, 1561, Robert Cary of Clovelly paid John Bury £1400 on behalf of Wilmot in settlement of his claims on her estate. Meanwhile the Church was proceeding with the divorce: a canon of Exeter Cathedral took evidence of the facts, and on July 22, 1561, Matthew Parker, the gentle Archbishop of Canterbury, whose fortune it was to bear the leading rôle in the formulation of the Thirty-nine Ar-

ticles, decreed a dissolution of the marriage on grounds recognized by the canon law.¹ Almost immediately thereafter Wilmot married George Cary, like her in his twenty-first year, though some months her junior, endowed him with her broad acres, bore him five children, and after twenty years left him a rich widower with her eldest son the only child surviving.²

George Cary, already a person of importance through his marriage, succeeded to his father's estate and became "of Cockington" in 1567, being then twenty-six years of age. Until after the death of his wife in 1581 we get no further glimpses of him except as a party to real-estate transactions.³ Some of them indicate that his

¹ *Cal. Tor Abbey Mun., H. & G.*, viii, 116. Westcote's statement (p. 496) that John Bury subsequently remarried and had issue is confirmed by Dyer's *Reports* (Easter Term, 2 Eliz.), 179. The practical judgment of the common-law judges refused to follow the opinion of the civilians that by reason of the deception of the ecclesiastical courts as shown by the event, Bury's first marriage should be reinstated.

² She was buried in Tor Mohun church under a fine brass representing her and her three daughters in early Elizabethan costume, all with hands joined in prayer. The effigies of her two sons, which once were included in the group, and part of the black-letter inscription, have been destroyed. Four shields of arms have the bearings of Cary, Brian, Holway, and Orchard, impaling Giffard and others. The inscription reads:

"[Hic] tumulatur Wilmota Cary uxor Georgii Cary
[de C] ockington Armigeri filia ex uxore heres
[Joha]nnis Giffarde de Yeo Armigeri Quæ postquam
[filio] s duos filiasq' tres ex marito suscepit in
[Dom] ino obdormivit xxi die Junii, Anno d'ni 1581."

See Rogers, *Antient Sepulchral Effigies of Devon*, 269; and *H. & G.*, viii, 98.

³ *Cal. Tor Abbey Mun., H. & G.*, viii, 117, 118.



large estate made him an object of interest to the important men of the robe at Westminster. In a will dated 1580 Sir William Cordell, master of the rolls, names him as one of his executors and a trustee of the hospital he founded at Long Melford in Suffolk; when in 1586 Cary himself entailed his estate on his son with remainder to his brothers, he named as trustees "Sir Francis Walsingham, Knight, her Ma^{ie} principall Secretarye and one of her Ma^{ie} moste honourable privye counselle, Sir Edmond Anderson, Knight, Lord Chief Justice of her Majesty's Courte of Comon Plees att Westminster; William Peryam, one of her Majesty's Justices of the said Courte of Common Plees; John Popham, Esquire, her Majesty's Attorney-Generall, and Edward Drewe and John Hole, Esquires."¹

At the date of this instrument, George Cary, being in his forty-sixth year, was already embarked on a career of public service. Though he began somewhat late in life, he had opportunity to make up for lost time in the mere fact that his

¹William Cordell (d. 1581) was successively M.P., solicitor-general, speaker, and master of the rolls. Under Queen Mary he had been a member of the privy council. Sir Edmund Anderson (1530-1605) died as chief justice of the Common Pleas. John Popham (1531-1607) was later knighted and became chief justice of England and the promoter of the Plymouth Company for the plantation of New England. Of the two Devon men on the list, William Peryam (1534-1604) was afterwards knighted and made chief baron of the exchequer, and Edward Drew (1542-1598) became successively recorder for Exeter and for London, succeeding Chief Justice Coke in the latter office.

name seemed, in the reign of Queen Elizabeth, to be *open sesame*. Sir Henry Carey, Lord Hunsdon, was first cousin to the queen and high in her councils: every one whose name was Cary or sounded like Cary seemed then to shine by reflected glory and by mere breeding to be qualified for promotion.¹

It was the association with Walsingham which led to Cary's employment in public business. We find him appointed in the spring of 1584 on a commission with Sir Richard Grenville,² another Devon man, his junior by two years, to

¹There is much confusion in the books over the contemporary kinsmen, Sir George Carey (1547-1603), who became second Lord Hunsdon and was captain-general of the Isle of Wight; Sir George Carew (1557?-1612) of Antony, lawyer, scholar, and ambassador, correspondent of Scaliger and master of the Court of Wards in preference to Bacon; Sir George Carew (1555-1629), president of Munster in Ireland, who became Earl of Totnes; and Sir George Cary of Cockington, who was the eldest of them all. There were also George Cary of Clovelly, with whom the secretary of state corresponded, Captain George Cary, the heir to Cockington, who was killed in the Irish wars in 1599, and George Carew, Dean of Exeter. The name Carew was then pronounced like Cary, and the Hunsdon family took to spelling their name *Carey*: indeed, Spenser addresses one of the sonnets dedicatory of the *Faerie Queene*, "To the most vertuous and beautifull Lady, the Lady Carew," intending it for Elizabeth, the wife of Sir George Carey, first above mentioned. All this, of course, adds to the confusion, so that one who reads Elizabethan political records must step warily among Carys, Careys, and Carews. Sir John Maclean, the historian of the Carews, carefully sorted them out in 1872. (*The Families of Carew and Cary Distinguished*, H. & G., vii, 19.)

²It was then seven years before

"At Flores in the Azores,
Sir Richard Grenville lay,"

and the year before he took out Raleigh's first colony to Virginia (Hakluyt, Everyman's ed., vi, 132). We can make Sir Richard's acquaintance ten years before this time in the pages of *Westward*



complete Henry VIII's defensive works at Dover. A year later, when that undertaking was well under way and had devolved upon Cary alone, he writes to Walsingham that he had forwarded fifty artisans from Devon to engage in the work; he himself spent July and August, 1585, at Dover in active superintendence on the ground, when he asked that an extra allowance be made the workmen for speed (shall we say, in modern phrase, time and a half for overtime!), and warned his friend Walsingham against the misrepresentation and gossip to which, at the beginning as at the end of his career, he found himself subject: all he asked for himself was "a warrant for a buck from Odiham Park."

The next year, 1586, Cary was returned to Parliament for the first time as a burgess for the boroughs of Clifton, Dartmouth, and Hardness; and at the ensuing session, during the winter of 1586-87, joined in the Commons petition to the hesitating queen for the execution of Mary Queen of Scots. In the next Parliament, that of 1588-89, following in the footsteps of his ancestors, he sat as a knight of the shire for Devon.

Ho! See also for local color as to him at home, R. Granville, *History of Bideford*, 1883, and Chope in *Transactions of the Devon Association* (1917), xlix, 210. It is one of the most interesting of George Cary's associations that he served on the Dover works with this strenuous Elizabethan worthy, who has taken a large place in literature by reason of the trumpets of Bacon, Sir Walter Raleigh, Campbell, Tennyson, Froude, and Kingsley.



This was his last legislative service: it could not have been a particularly interesting experience. Elizabeth's Parliaments showed too much inclination to think for themselves to be encouraged, and they were too loyal to be recalcitrant: they were called only when necessary to vote supplies and were not expected to do anything else. Bacon tells a story that once when the queen asked the speaker what had passed in the house, he wittily replied: "If it please your majesty, seven weeks!" Cary's votes in the House of Commons, as well as his large interest at home, evidently recommended him further to the government, for in 1587, at a moment when the office meant something, we find him appointed a deputy lieutenant for Devonshire under the lord lieutenant William Bouchier, Earl of Bath.

It was a time of expectation of the attack which, the Spaniards planned, was to be followed by a new conquest of England; the plan which culminated a year later in the great Armada. The penurious Elizabeth refused to heed the bold counsels of her council and strike first, or even to make adequate preparation, because such things cost money: she relied for defense upon the national *fyrde*, the people in arms. The council made the best preparation they could under these conditions: heavy responsibility was put on the representatives of the crown in the



counties, especially on the south coast. George Cary's duty as a deputy lieutenant was like that of his ancestor the Chief Baron, when he had been captain of the coast at a time of similar danger and similar preparation more than two hundred years before. To Cary was assigned the protection of the coast from Dartmouth to Exmouth. It was deemed a point of such danger that in August, 1587, the privy council expressed the opinion that "the 150 men of Mr. Fulford's band [raised in the interior of Devon] ought to be assigned to Mr. Cary for the better defence of Tor Bay." The year was spent in the work of local organization to meet all contingencies, with incidental drilling of rustic fencibles. The modern technical historian of the British army, who has little respect for militia, seriously assures us that Shakespeare was the most faithful military historian of his age.¹ We may then turn to Shakespeare for a picture of the kind of soldiers which the Elizabethan system called into existence as cannon fodder. Sir John Falstaff is picturesque as well as dishonest, but we can learn from his testimony what were the problems and the difficulties of a country gentleman, like George Cary, zealously trying to effect something like a military organization in his own neighborhood. He had to do not only with some captains like Falstaff, but with

¹ Fortescue, *History of the British Army*, i, 140.

many besonians such as the fat knight marched to Coventry.¹

In May, 1588, news was received that the Armada was under weigh at Lisbon,² then that it had put back to Corunna to refit after a storm,

¹ "If I be not ashamed of my soldiers," says Falstaff (1 *Henry IV*, act iv, sc. 2), "I am a soused gurnet. I have misused the King's press damnably. I have got, in exchange of a hundred and fifty soldiers, three hundred and odd pounds. I press me none but good householders, yeomen's sons: inquire me out contracted bachelors, such as had been asked twice on the banns; such a commodity of warm slaves as had as lief hear the devil as a drum: such as fear the report of a caliver worse than a struck fowl, or a hurt wild duck. I pressed me none but such toasts-and-butter, with hearts in their bellies no bigger than pins'-heads; and they have bought out their services: and now my whole charge consists of ancients, corporals, lieutenants, gentlemen of companies, slaves as ragged as Lazarus in the painted cloth, where the glutton's dogs licked his sores: and such as, indeed, were never soldiers, but discarded unjust serving-men, younger sons to younger brothers, revolted tapsters, and ostlers trade-fallen; the cankers of a calm world and a long peace; ten times more dishonourable ragged than an old, faced ancient. And such have I, to fill up the rooms of them that have bought out their services, that you would think that I had a hundred and fifty tattered prodigals, lately come from swine-keeping, from eating draff and husks. A mad fellow met me on the way, and told me I had unloaded all the gibbets and pressed the dead bodies. No eye hath seen such scarecrows. I'll not march through Coventry with them; that's flat. Nay, and the villains march wide betwixt the legs, as if they had gyves on: for, indeed, I had the most of them out of prison. There's but a shirt and a half in all my company; and the half-shirt is two napkins tacked together, and thrown over the shoulders like a herald's coat without sleeves: and the shirt, to say the truth, stolen from my host at Saint Alban's, or the red-nose innkeeper of Daventry. But that's all one: they'll find linen enough on every hedge."

For the immemorial excuses given by drafted men, as true in Virginia of 1918 as in the England of Elizabeth, see also 2 *Henry IV*, act iii, sc. 2.

² *Cal. State Papers*, ccx, 35. Howard to Burghley, May 28, 1588: "For even this morning Mr. Cary, the sheriff Devonshire, and Sir Richard Greynville have brought me word of a bark that is newly come from the South Cape" (St. Vincent).



and at last, in July, that it was headed for the south coast. Sir Francis Drake stopped in the midst of a celebrated game at bowls on the Hoe at Plymouth (we believe he *did* stop despite the story) and made out to sea to meet the enemy: as he said, "with the Grace of God to wressele a poull with hym." With him was Robert Carey, Lord Hunsdon's youngest son.

Forthwith a guard at every gun was placed along the wall. The beacon blazed upon the roof of Edgcumbe's lofty hall.

Elizabeth and her council were in London anxiously awaiting news. Some of the earliest she had was from two Carys, when "with loose rein and bloody spur, rode inland many a post." On the afternoon of July 25, writing hurriedly and somewhat incoherently from his outpost in camp near Carisbrook Castle on the Isle of Wight, Sir George Carey, Lord Hunsdon's eldest son, sends the first despatch: "This morning began a great fight between both fleets. The fleets were out of sight by three in the afternoon." The next day George Cary of Cockington follows with advice that Sir Walter Raleigh's trawler *Roebuck* had brought in to Tor Bay a disabled Spanish galleon of 1200 tons, the flag-ship of Don Pedro de Valdez, admiral of the Andalusian Squadron, who had been abandoned by the Spaniards and captured by

Drake in the *Revenge*.¹ Of this prize he and his fellow-magistrate, Sir John Gilbert (Raleigh's stepbrother), took charge on behalf of the government, removing and forwarding at once to the lord admiral by the *Roebuck* her ample store of shot and powder, then much needed in the English fleet: her ordnance they were transferring as quickly as possible to another ship to be sent out to join the fleet.

On the November 5th following Cary has another busy day.² He gets word that on her return voyage around the Orkneys the *St. Peter the Great*, one of the two hospital ships of the Spanish navy, had stranded in Hope Bay near Salcombe. At the end of a rapid ride of twenty miles, Cary's first care was to disperse the country people who were already on hand plundering the wreck, and having secured the prize in the queen's name, he took order for disposition of the crew and the recovery of the remnants of the cargo. The ordnance was saved, but the plate and treasure had already fallen a prey to the wreckers; the drugs and "potecary stuff" of 6000 ducats' value were spoiled by water. Of the

¹ See Froude, *Elizabeth*, v, 408, or, more in detail, *The Spanish Story of the Armada* (1892), 43, and Motley, *United Netherlands*, ii, 540. The galleon is called *Capitana* in the despatches, but this simply means flag-ship. Drake claimed the prize as his own (to the disgust of Frobisher and Hawkins, who believed they had contributed to her capture), and sent Valdez to Walsingham to be delivered to the queen.

² *Cal. State Papers*, ccxviii, 4.



crew of 30 sailors, 100 soldiers, and 50 other persons who had sailed from Spain, 140 succeeded in reaching the land in safety. Separating twenty officers from the rest, Cary left eight with Sir William Courtenay at Ilton Castle and himself took charge of the others at his own cost. Then, leaving the further care of the situation to Anthony Ashley, who took up his quarters with Sir William Courtenay, Cary returned to Cockington to report his proceedings to the privy council.

These Spanish prisoners were lodged, with those from Valdez's captured flag-ship, in the great barn of Tor Abbey, which ever since has been known as the Spanish Barn. Their plight was pitiful and was aggravated by a quarrel which then arose between Cary and his neighbor and colleague Sir John Gilbert of Compton,¹ near Dartmouth. The magistrates were in difficulty because they dared not use the captured supplies for the relief of the prisoners until their prize value had been duly adjudged. Cary re-

¹It was his younger brother and heir, Sir Humphrey Gilbert, who, after planting the first English colony in America, was last seen in a storm at sea "sitting," as Hakluyt records, "abaft with a booke in his hand, crying out unto us in the *Hind* (so oft as we did approach within hearing), *We are as neere to heaven by sea as by land.*" The story has recently been put into noble verse by a twentieth-century poet, a ballad worthy of an Elizabethan subject, Alfred Noyes' *A Knight of the Ocean-Sea*, with its unforgettable refrain:

"Ever the more, ever the more
He heard the winds and the waves roar."

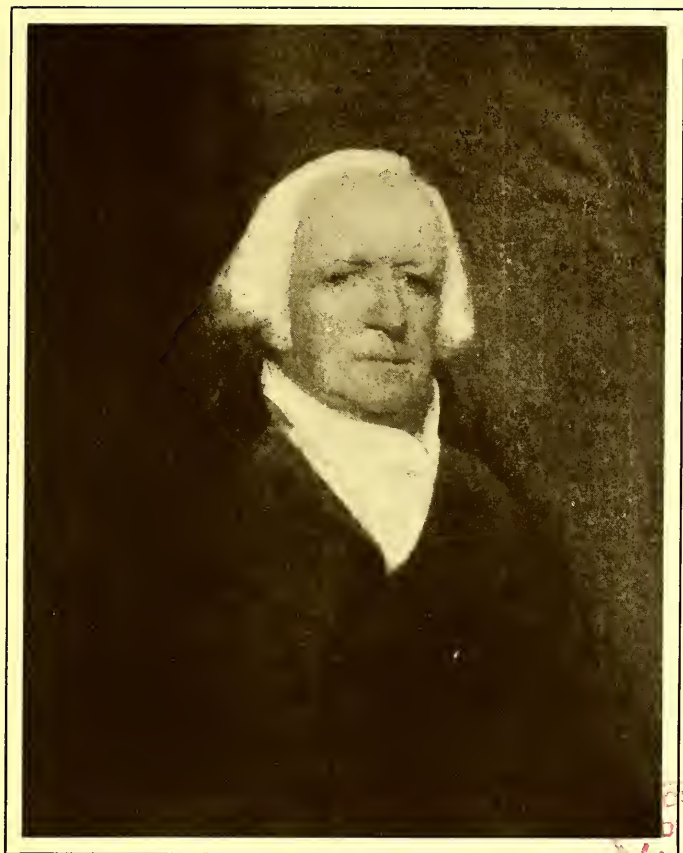


ports to the council the distress of the Spaniards: "their fish savors so it cannot be eaten, and their bread is full of worms." To Walsingham Cary writes personally that their plight is due largely to Gilbert's obstinacy: he has himself, he says, given each of the prisoners $1\frac{1}{2}d$ out of his own purse, but Gilbert "will take no pains where no gain is."¹ The bitterness thus engendered persisted. Four years later, when England was preparing for another attack from Spain, six Devon gentlemen were appointed colonels, each with a regiment of 866 men. Cary and Gilbert were two of these colonels. On September 6, 1592, the privy council wrote to Cary that

¹ George Cary protests his own disinterestedness. The salvaged wine was distributed among the neighboring gentry. George Cary himself appropriated two pipes, but he reported it to the council and offered to pay for it. (*Cal. State Papers*, ccxv, 67, 68.) As to the prisoners he reports on another occasion, "two of them, the one being the pothecary, the other the sergeant, I took to myself. . . . I would humbly desire the gift of those two Spaniards, whom I have, not for any profit, but I make trial what skill is in them." (*Cal. State Papers*, ccxviii, 4.)

It does not appear what became of the Spanish prisoners. There is a Devon tradition (Baring-Gould, *A Book of the West*, i, 20) that they settled in the country and took English wives, from which it is attempted to argue an explanation of the dark hair and fine profiles so common among Devon and Cornish peasants on the south coast, but it is more probable that these have an earlier origin, perhaps with "the dark haired Iberian."

In Fauquier County, Virginia, there is a similar explanation of German names and characteristics in the same class, as due to the marriage with the native stock of the mercenary Hessian soldiers who became prisoners after the battle of Saratoga in the American Revolution, were held for the remainder of the war in the Valley of Virginia, and ultimately were turned loose to shift for themselves because neither England nor their own sovereign would repatriate them.



GEORGE CARY
1731-1805
OF TOR ABBEY



they were advised that he had not yet appointed his officers or organized his regiment, and they wanted to know why. On September 28 Cary replies with passionate resentment of Gilbert. He advises the council that if his regiment is not yet organized the fault is not his, the question is one of the boundaries of his jurisdiction. Gilbert, he says, "respecting not so much Her Highness' service as his private glory and seeking my disgrace, wants to have command of my tenants and neighbours and to drive me to fetch my band 20 or 30 miles away. I dwell hard upon Tor Bay, in a place of descent,¹ and of greater danger than where Sir John lives. I have done Her Majesty honest service and in this can serve her as well as Sir John and with far less charge to the country. I have twice entered into this matter by your Lordships' commandment and, therefore, should now be sorry to receive a disgrace."

Cary was apparently supported by the council, but the quarrel did not end. Even after he had gone to Ireland the council had occasion to write

¹George Cary stood on his gentry all his life with the pride of an Elizabethan. In 1614 he sealed his will with his arms, quartering Cary, Brian, Holway, and Orchard, the ancient and far-reaching Devon roots on which his family stood. He impaled his wife's arms with the same quarterings on her tomb in 1581. In the Tor Abbey muniments is a carefully prepared and scrupulously proved pedigree of the Giffard family in George Cary's handwriting, an evidence not only of his pride in his children's long descent on their mother's side as well as their father's, but of his interest in genealogy.



to the Lord Bath, the lord lieutenant, instructing him to put an end to interference with the deputies Cary had left behind him to carry on his local public responsibility. Those deputies, say the council, "have demeaned themselves well: yet of late Hugh Pollard¹ and other deputy lieutenants have intermeddled, thereby disgracing Sir George and his substitutes, although for his daily services he rather merits increase of reputation."

But even after the excitement of the Armada had quieted down there were interesting events in Devon in this *annus mirabilis* of 1588. On September 10 there sailed into Plymouth harbor a doughty adventurer Thomas Cavendish, who had repeated Sir Francis Drake's achievement and circumnavigated the globe, coming home, like his eighteenth-century successor Anson, laden down with the spoils of the Spanish Manila fleet. A letter written by George Cary to his sister Mistress Kirkham at this moment has survived² to give us an intimate picture of Cavendish:

GOOD SUSTER:

I thank you for the partridges which you sent unto me. I pray, if you can, send me a partridge taken out of your

¹ His descendant, another Hugh Pollard, was the governor of Dartmouth on behalf of Charles I when Sir Thomas Fairfax stormed it in 1646. Serving under Pollard on this occasion was George Cary's successor Sir Henry Cary of Cockington.

² Among the *Trevelyan Papers* (Camden Society, No. 105, 1872), iii, 21.



partes of the shier: for I can not gett any here but will take too for me and three for himself. I had hooped that my brother would have byne in the country ere now and to write unto him I think it will be but in vayne.

Wee had a riche shipp come into Plymouth. A young gentilman, one Mr. Candishe, who hath byne at the West and East Indies and hath byne absent this too years and six weeks, is returned very riche: cheifely laden with silks: he hath musk and cyvett great store, some gold and other goods. When I was in Plympton [about] the subsidy, I rood to Plymouth and saw the ship. Very curtish [courteously] he gave me a peece of silk, but otherwyse nothing is to be had, for there is nothing sold that I could understand of. Mrs. Alington desyred me to comende her very hartely unto you, and sayeth she will remayne your deptor till she see you.

Cockington this presente thursday.

Your loving brother,

GEORGE CARY.

During the ten years after the Armada George Cary continued to take part in public affairs at home. The war with Spain dragged on at sea and in the Low Countries, where Cary's son had gone to learn the trade of a soldier. There was constant apprehension of the invasion of England. In April, 1589, what we should now call a "Liberty" loan, for public defense and protection against the arch-enemy of Protestant independence, was brought out by the government. Sir Francis Godolphin,¹ George Cary of

¹Sir Francis Godolphin of Godolphin in Cornwall was to distinguish himself, in a function similar to George Cary's, by maintaining the defense of Penzance against a Spanish landing in 1595. He was ancestor of Queen Anne's Lord High Treasurer, created



Cockington, and Sir John Clifton of Somerset were appointed commissioners to canvass and receive subscriptions to the loan in their respective counties of Cornwall, Devon, and Somerset, and to disburse what they might collect under the direction of the privy council.

Elizabeth now at last consented to carry the war into "Africa," having learned that the best defense was to take and hold the initiative. In 1596 she authorized the expedition which sailed from Plymouth, and during a brief absence from home sacked Cadiz, bringing home even more glory than plunder, though a loss was inflicted on Spain to the tune of twenty millions of ducats. Again, in 1597 Essex was entrusted with another fleet and army to prey on the enemy. He went on the "Island voyage" to the Azores, there to wait for the convoy of galleons from the Spanish Main with the annual consignment of treasure, but this time missed the quarry, had his fleet scattered in a storm, and returned to Plymouth with his tail between his legs. There he was in July, 1597, calling on the council for money to pay his sailors and refit his fleet, when George Cary was instructed to turn over to him £2000 of his loan collections; again, in October, £3000 was sent to Cary by the coun-

Earl Godolphin. Cf. that interesting but little read book Evelyn's *Life of Mrs. Godolphin*, first published in 1847 by Bishop ("Soapy Sam") Wilberforce.



cil for the same purpose. Meanwhile, Walsingham was dead and Robert Cecil was secretary of state. In the summer and winter of 1596-97 we find Cary corresponding with Cecil as a part of the organization of the government for the collection of information about the enemy. He was particularly qualified to do this by reason of the flotsam and jetsam of the sea which drifted into Dartmouth and Tor Bay. His reports are vivid pictures of the adventurous life of everyday Englishmen in the days of good Queen Bess. Thus he takes depositions of some mariners of Bristol who were in Spain after the sack of Cadiz and told the effect of that insult upon the Spanish people and government; again, he reports on some Spanish flyboats off the coast on recognizance; again, a seafaring Dutchman fresh from Spain tells him of the warlike offensive preparations in progress in Spain; again, he stakes with money and sends up to Cecil "a poor prisoner lately escaped from St. Lucas," Constantine Eckelles, who had been a London house-painter, went to sea, was captured by the Spaniards, taken to Havana, then to Seville, where four English priests, "who every month change their names to avoid discovery," took him from the Inquisition after he had recanted and employed him as a cook until he escaped and after many further risks made his way to England; finally, "a hulk of Amsterdam, one of the



Spanish navy, put in here by stress of weather," and on board was found one Nich. Franklyn, a West Country man who had had a roaring experience as a pirate on his own account until he was captured by the Spaniards and became their pilot in exchange for his liberty. Him Cary consigned to the common jail until he might be conveniently hanged.

Altogether George Cary led a busy and interesting life during the fifteen years from 1584 to 1599. His activities were those of a private gentleman of large landed interest, who lived on his *terres*, but recognizing a responsibility to his position, as such Englishmen always have, threw himself heart and soul into the administration of local affairs. It was such necessary work as was at that time going on all over England, but as came under the spot-light of history only when fortune brought great events within a local purview. The fact that George Cary lived on the coast during a period of intense naval activity brought him more to the attention of the privy council and the queen than many others of his class whose shires were less directly exposed to the hostilities of Spain. He seems to have won a reputation for zeal, for scrupulous execution of the commands of authority, and for prompt and correct business habits. For all of this he received in his fifty-seventh year what he doubt-



less deemed an altogether appropriate reward and the achievement of the climax of his career.

On the last day of February, 1597 (o. s.), George Cary of Cockington, Esquire, became Sir George Cary of Cockington, Knight, by the hand of Queen Elizabeth at Whitehall.¹ But as it turned out fate had his greatest responsibility in store for him.

We have a lively picture of the occasion of Sir George Cary's new adventure in the paper entitled *True Remembrances*, written in 1632 by Richard Boyle, Earl of Cork.² After rehearsing his English origin and the necessity upon him, "the younger son of a younger brother," to make his own way in the world, Boyle tells of his unsuccessful employment as a law clerk in London and his determination to seek his fortune in Ireland. There he landed in 1588 at the age of twenty-two with £27 in ready money in his pocket; on this capital he was destined during the next forty years to accumulate the largest estate of his time. His early successes stirred, he says, the enmity of the treasurer of Ireland, Sir Henry Wallop, who charged him with making his way by the treasonable use of Spanish money, and caused him to be arrested in London and

¹ Metcalfe, *Book of Knights* (1885), Morgan, *Sphere of Gentry*. The *Cal. Tor Abbey Mun.* confirm the date from the manor court rolls.

²The paper is printed at length in *Collins Peerage* (ed. Brydges, 1812), vii, 135.



imprisoned. Boyle says that he was held a prisoner until two months after the Earl of Essex had gone to Ireland, when he was examined in the presence of the queen herself:

When I so fully answered and cleared all their objections and delivered such full and evident justification for my own acquittance, as it pleased the Queen to use these words, viz.: "By God's death, these are but inventions against this young man and all his sufferings are for being able to do us service and these complaints urged to forestall him therein: but we find him to be a man fit to be employed by ourselves: and we will employ him in our service: and Wallop and his adherents shall know that it shall not be in the power of any of them to wrong him: neither shall Wallop be our Treasurer any longer." Thereupon she directed her speech to her lords in her counsel there present, and commanded them presently to give her the names of six men out of which she might chuse one to be Treasurer of Ireland: her election falling upon Sir George Cary of Cockington. And then the Queen arose from council and gave orders not only for my present enlargement, but also discharging all my charges and fees during my restraint, and gave me her royal hand to kiss, which I did heartily, humbly thanking God for that great deliverance.

While Lord Cork, relying upon his memory, is mistaken in his dates, for Sir George Cary went to Ireland with the Earl of Essex and not two months after him, his story fits in otherwise with the recorded facts. In March, 1597, Sir Henry Wallop had been treasurer in Ireland for twenty years, and, having incurred the disfavor of the queen as the result of some negotia-

tions with Tyrone, had recently asked to be relieved.¹ Whatever may have been the motive for making a change or for the selection of the new Irish official,² on March 15, 1599, letters patent passed the seals at Westminster appointing Sir George Cary of Cockington vice-treasurer and receiver-general in Ireland, with authority "to fill and execute the office of Treas-

¹ Sir Henry Wallop (1540?-1599) was of the Wiltshire family which was raised to the peerage by George I as earls of Portsmouth. Sir Henry died in Dublin April 14, 1599, the day before the arrival of his successor. For him, see *Collins Peerage* (ed. Brydges, 1812), iv, 305, and *Dict. Nat. Biog.* (reissue), xx, 609.

² If Richard Boyle's story is true, the queen may on the impulse have given preference to Cary's name, which was a favorite with her, though, of course, she knew of his previous services, for she had recently knighted him. There may, too, be some foundation for the West Country song:

"It was among the ways of good Queen Bess,
Who ruled as well as ever mortal can, Sir,
When she was stogg'd and the country in a mess,
She was wont to send for a Devon man, Sir."

At all events, Devon men were already at home in Ireland, for they had trooped thither in the earliest manifestations of that adventurous planting spirit which was long their characteristic and played so large a part in the conquest of America, the movement to which two of their countrymen, Gilbert and Raleigh, gave the impetus. Thus, in 1567 Humphrey Gilbert undertook a plantation in Ulster, and in 1569 Sir Peter Carew another in Munster. So at the end of the century we find many West Country names in Ireland, e.g., Mountjoy, the viceroy; Sir George Carew, president of Munster; Sir Arthur Chichester and his nephew Sir Faithful Fortescue, as well as Sir George Cary, his son Captain George Cary, his nephew and Secretary Edward Cary, afterwards of Dunghannon, and his kinsman (through the Southcotes) Thomas Ridgeway, of Tor Abbey, afterwards Earl of Londonderry, then vice-treasurer under Sir George Cary, and ultimately his successor as treasurer. In the army were others, Fortescues and Bouchiers.

Young Henry Cary of Hertfordshire, destined some twenty years later to be Lord Falkland and lord deputy, was also in Essex's army, and was knighted by him in Dublin.



urer at Wars in Ireland.”¹ This formal appointment was followed in a few days by a memorandum of instructions to the new treasurer signed by the queen at Richmond, March 22, 1599:²

Instructions for George Carye of Cockington, in the County of Devon, Knight, appointed by us to repair into the realm of Ireland with our cousin the Earl of Essex and to remain there as our Treasurer at Wars:

Having at the suit of Sir Henry Walloppe, now Treasurer at Wars in Ireland, revoked him from that charge in regard of his great years,³ and of the great account he has to make, we have made choice of you to supply that room. You are to enter into that office from the 1st inst. . . . By our letters patent you are both Treasurer at Wars and Under Treasurer of the Exchequer and further Receiver General of all our Revenues there, which, though they be all places distinct and in their true natures not very convenient to be all in one hand, yet in regard of the great trust we have in you we are pleased they shall so continue.

At the end of the sixteenth century Ireland had reached one of the crises of her tumultuous and unhappy history. Modern historians agree in relating her troubles then and since to the in-

¹*Cal. State Papers, Ireland* (1601-1603), 611. John Chamberlain, the Elizabethan Horace Walpole, who was a friend of Sir Henry Wallop, had news of the appointment as early as March 1, 1599, when he wrote to Sir Dudley Carleton: "Sir George Cary of Cockington, near Plymouth, is to be Treasurer of Ireland in place of Sir Henry Wallop." *Chamberlain's Letters*, Camden Society (1861), pp. 46-48; quoted also in *Cal. State Papers, Domestic* (1598-1601), 165.

²*Cal. Carew MSS.* (1589-1600), 290.

³His successor was born in the same year!



complete consequence of the extension of the Norman conquest of England across the Irish Sea. Whether one takes the view of Goldwin Smith and Froude that it would have been better for Erin if her Celtic population had been thoroughly subjugated and nationalized under a Norman aristocracy, as England was, or whether one agrees with Thierry and Gardiner that her misfortune was not to have been able to achieve what the twentieth century calls "self-determination," we must recognize that Ireland simply swallowed and assimilated those few Normans who crossed from Wales and took possession of her eastern seaboard under Richard Strongbow, without material effect upon her civilization. At all events the English kings maintained little more than a suzerainty over her until the Wars of the Roses, when even the pretense of jurisdiction ceased. Henry VIII, reviving the claims of the English crown, inaugurated a policy of propitiation of the Irish and instituted the long line of English official deputies, men of moderate birth and fortune, who were professional administrators. It is possible that important economic consequences might have ensued from this policy, but Henry's work was hardly begun when in the time of his daughter Elizabeth Ireland became a factor in the international politics of religion. Then, as Gardiner



says, the only question was whether Ireland should be a dependency of England or of Spain. Intriguing in her own behalf, with the aid of the Pope, to stir up the Irish to rebellion against English rule, Spain played upon the personal grievances of the O'Neills in the north and the Geraldines in the south. In 1566 and again in 1574 serious local revolts were put down and the country desolated by Sir Henry Sidney and Sir John Perrot, that swashbuckling son of Henry VIII, but Ireland was not conquered. In 1598 the reverse of an English force by the rebels roused the whole of Ireland. Never had any Irish rebellion assumed such formidable proportions or approached so nearly to the dignity of a national resistance. In the lead were the two great chiefs of the north, the O'Neill and the O'Donnell: the former, decorated with a crown of peacock feathers sent him by the Pope, now threw off the title with which Elizabeth had decorated him, justly deeming that he would be an object of more veneration to his countrymen under his native appellation than by his English title of Earl of Tyrone. In Munster a Desmond pretender known as the *Sugan*, or "straw-rope earl," raised the natives in support of Tyrone, and the chronicle known as the *Four Masters* says that in seventeen days there was not one son of a Saxon left alive in the Desmond territories. It was then



that Edmund Spenser lost his all, escaping only to die of misery in a London garret.

Such was the posture of Irish affairs when in March, 1599, Elizabeth sent her ambitious favorite Robert Devereux, Earl of Essex,¹ with the title of lord lieutenant, to put down the rebellion. In his company Sir George Cary had his introduction to Ireland. On April 15, 1599, Essex and Cary landed at Dublin. Cary set to work at once upon his duties of organization and administration not only of the local revenues but of the commissariat of Essex's force of 18,000 men, the greatest English army which had ever been collected in Ireland. We see him engaged energetically at his work, presiding in the Irish council in the absence of the lord lieutenant, and doubtless enjoying himself greatly.

In the midst of these occupations the treasurer suffered a blow which we may well believe must have sapped the energies of a man of his age. He lost his surviving son, the bearer of his name, the heir to his estate, his only hope that

He shall be like a Tree planted by the streams of water,
That bringeth forth its fruit in its season,
Whose leaf also doth not wither.

This young Elizabethan left a brief but honorable record as a professional soldier.

¹It is of interest in the present connection to recall that his grandmother was a Cary, the sister of the first Lord Hunsdon.



CAPTAIN GEORGE CARY (1562?–1599) began his career when in 1584 Elizabeth grudgingly sent to the Low Countries a force of 5000 men under the command of the Earl of Leicester, to aid the United Provinces in their fight for freedom against Spain. He was thus present as a subaltern on that foggy morning in October, 1586, when the English, opposing mere gallantry to steady discipline, vainly attempted to capture a Spanish convoy headed to the relief of Zutphen—the day when Philip Sidney earned immortal fame. Thereafter in a company of young English gentlemen, among whom Francis Vere was easily first, but including Sir Edmund Carey, one of Lord Hunsdon's younger sons,¹ young George Cary remained in the Low Countries for nearly ten years. He learned the lesson of Zutphen at the school of Prince Maurice of Nassau, practising drill and discipline and studying the *Tactics of Ælian*.

In 1596, when he had become a captain of foot,² he was recalled with the other West Country troops and had the honor and doubtless the profit, of a part in Essex's joyous sack of Cadiz:

¹ See *post*, pp. 369, 410. Capt. John Smith and several others who later left their names in Virginia were in this contingent.

² For the organization of a company at this time, as well as a stirring history of the war in the Low Countries, see Markham, *The Fighting Veres*.



Unto Cales cunninglye, came we most speedilye,
Where the Kinge's navy securelye did ryde,
Being upon their backs, piercing their butts of sacks
Ere any Spaniards our coming descryde.

Dub a dub, dub a dub, thus strike their drums,
Tantara, tantara, the Englishman comes.

Entering the houses then of the most richest men,
For gold and treasure we searched eche day,
In some places we did find pyes baking left behind,
Meate at fire roasting and folkes run away.

Dub a dub, etc.

Full of rich merchandize, every shop caught our eyes,
Damask and sattens and velvets full fayre,
Which soldiers measur'd out by the length of their swords,
Of all commodities eche had a share.

Dub a dub, etc.¹

On his return to England Captain Cary was stationed at Dartmouth with his company of old soldiers and occupied his time drilling the townsmen in the art of military self-defense, a privilege of great value to them at the moment by reason of their exposed position on the coast. The townspeople appreciated this voluntary service so highly that they wrote to the privy council commending it, whereupon Captain George Cary had the honor to receive from the privy council a letter dated January 10, 1598, as follows:²

¹ *The Winning of Cales*, Percy's *Reliques*, I, 241.

² *Acts of Privy Council*, 1597-8, 236.

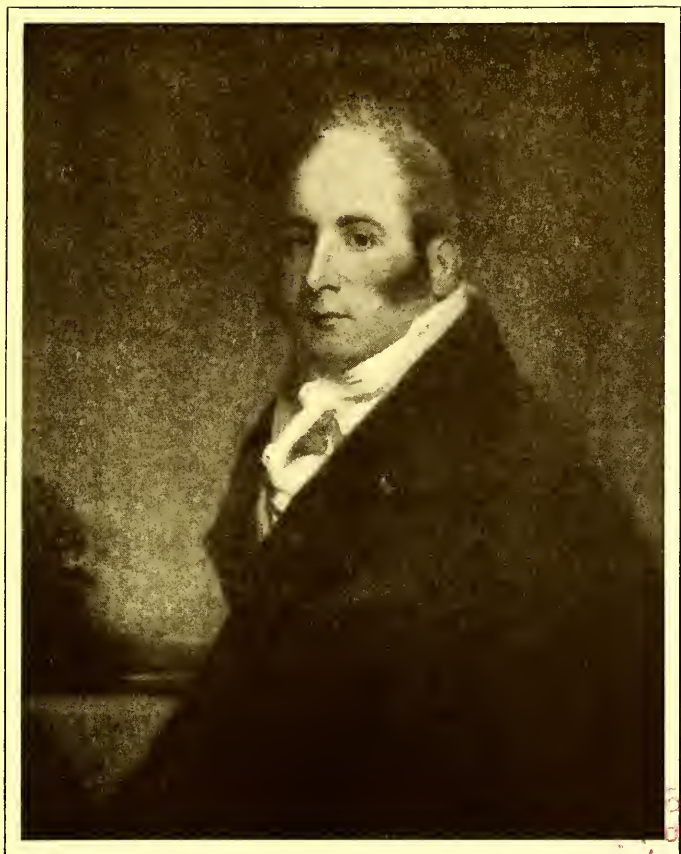


A letter to Captaine George Carye: Wee have bin certified by a letter from the Mayour of Dartmouth and certaine others of the chief inhabitants of that towne what paynes you have taken of late among them to make the said inhabitants of that town expert and serviceable for their owne defence, if occasion shall require; both by your own instruccions and good discipline and by the example of the company of old soldiers under your charge and there as yeat remayning, whom you do cause to be often trayned and exercised amongst them. This course by you taken wee cannot but very well allow and commende, and as the inhabitants themselves have by their letter acknowledged themselves beholding to you for your paynes, so we do also give you thanckes in respect that you do therein her Majestie good service, praying and requiring you to contynue the same during your abode there.

In the spring of 1599 he was ordered to Ireland with his company as part of Essex's army. He took part in the fruitless *pasiar* of that army through southern Ireland and was present at the storming of Thomas Butler's castle of Cahir on May 25, 1599, when he was wounded in the face. That feat of arms was reported by Essex as follows:¹

In the night the rebels attempted to save their lives by sally, but they were so well received by Sir Charles Percie and Sir Christopher St. Lawrence that very few escaped and only those by swimming. The castle was immediately entered. The cannon and culverins drawn into it and the breaches repaired. Captain George Carye who had been wounded in the face, was left in command of it with his company of 100 foot.

¹ *Cal. Carew MSS.* (1589-1600), 301.



GEORGE CARY
1769-1828
OF TOR ABBEY



Elizabeth's comment to Essex on this adventure in her famous letter of July 19, which subsequently figured at Essex's trial, is characteristic:

Full well do we know that you would long since have scorned to have allowed it for any great matter in others to have taken an Irish hold from a rabble of rogues with such force as you had and with the help of the cannon, which was always able in Ireland to make his passage where it pleased.¹

Of young George Cary's fate we know nothing more. He was knighted by Essex² and died soon after, perhaps of the effects of his wound received at Cahir, perhaps in some other obscure skirmish of that futile campaign. He gave his life like many another English soldier of birth and breeding in the centuries to come: an inconspicuous sacrifice for the establishment of the British empire beyond the seas.

¹Elizabeth would have taken more comfort in the report of a later capture of Cahir. See Cromwell's despatch from Ireland of March 5, 1649 (Carlyle, *Oliver Cromwell's Letters and Speeches*, ii, 233): "It pleaseth God still to enlarge your interest here. The Castle of Cahir, very considerable built upon a rock and seated in an island in the midst of the Suir, was lately rendered to me. It cost the earl of Essex, as I am informed, about eight weeks siege with his army and artillery. It is now yours without the loss of one man."

Cahir (whose name arose from the same Celtic root as Cary) dates from 1142, still stands between Clonmel and Tipperary, and is used by Essex's and Cromwell's successors in the twentieth century as a military barracks to awe a country still unreconciled to English rule.

² The Visitation of 1620, Vivian, 151.



Essex's expedition had accomplished nothing but the destruction of Essex's reputation and the waste of an English army. After a mysterious interview with Tyrone, Essex himself suddenly returned to Dublin in September and, to the astonishment of every one present, announced to the Irish council that he was returning to England; whereupon, in accordance with instructions from the queen, he appointed Archbishop Loftus, the chancellor of Ireland, and Sir George Cary, as lords justices, to administer the government in his absence.¹

And so Robert Devereux, abandoning his responsibility, rushed to meet his swiftly approaching and tragical fate. On February 25, 1601, he died on the block in the Tower of London, the victim of his own folly and the inexorable pride of a selfish old woman.²

Archbishop Loftus and Cary were confirmed in their appointment as lords justices by letter of

¹ *Cal. Carew MSS.* (1589-1600), 335.

² The story of Essex's fall is one of the classics of English history. Nowhere has it been told better or with more acute analysis of motive, during the Irish expedition and afterwards, than in Spedding's *Life of Francis Bacon*, ii, chaps. 6-10. Weak as was his character, one cannot help being profoundly affected by Essex's fate: if only for that noble passage in his cross-examination of Sir Fernando Gorges at the trial, in which he bids the witness, whom he had every right to believe was his friend, to remember that he is a gentleman, to speak like a man and to tell the truth. But Gorges, like Francis Bacon, had deserted his patron, after battenning on his favor in the days of prosperity, and lied away Essex's life to save his own, as no one doubted who was present. The colloquy is given in Jardine, *Criminal Trials*, i, 334.

the queen of October 6, 1599, and continued in charge of the civil affairs of Ireland for several months.¹

On January 21, 1600, Charles Blount, Lord Mountjoy,² was commissioned lord deputy, and on February 24 following, the lords justices surrendered to him the sword of state. The history of Ireland during the ensuing three years is the history of systematic and effective subjugation. Mountjoy adopted a new and, as it proved, the

¹In his "apology" to the privy council for his return to England, Essex said (*Carew MSS.*, iii, 518): "As for my settling of the government before my coming away, if this will not satisfy that I ordered her Majesty's forces, employed her ablest ministers, and gave particular instructions for every province and frontier, by advice of her Majesty's Council there: yet I am sure in this Court this one plea will be allowed, that I so ordered all things, as you, my lords of the Council having received account of me when I was first committed, have not to this day altered anything of importance in that course of government which I established at my coming away, generally for the Kingdom and particularly for every province."

²Mountjoy is one of the most interesting of the Elizabethan worthies, a scholar as well as a soldier. He was twenty-three years younger than Sir George Cary, being the age of his dead son. One can understand the fascination he exercised over Queen Elizabeth by looking at his face and bearing at the age of forty-one reproduced by Lodge in his *Portraits* from the painting, by a Spanish artist, of the commissioners who treated in 1604 for a peace between England and Spain. He had maintained for many years relations with Penelope, Lady Rich, the mother of Sir George Cary's second wife, and on his return from Ireland, when she announced that he was the father of her last five children, he married her after a divorce, to the scandal of all James I's court. Doubtless he remembered the saying he had heard in Ireland of Shane O'Neill, the legitimate son of the first Earl of Tyrone, with respect to the illegitimate son of a smith's wife, who had been recognized by the English as Tyrone's successor. "Being a gentleman," he said, "my father never refusid no child that any woman namyd to be his."



successful policy of dealing with the rebels.¹ Instead of marching with his entire army as Essex had done, Mountjoy warred with the spade even more than with the sword. He divided his forces into local contingents, established them all over Ireland in fortified posts, and by means of constant raids, destroying crops and driving off cattle, reduced to despair entire districts. Against Tyrone himself he maintained a tireless ordeal with the purpose and effect of wearing out the rebel chieftain. In August, 1601, there was news of a Spanish expedition to support Tyrone, and in October a force of 6000 Spaniards actually landed at Kinsale. With the efficient support of Sir George Carew, the president of Munster, Mountjoy besieged the invaders and starved them into capitulation. This adventure broke the back of the rebellion, but the event was assured during the ensuing eighteen months by a vigorous and pitiless pursuit of such rebels as remained in arms, until through desolation of the country and destruction of their food-supply the rebels learned that famine was an enemy against which no resolution could endure. And thus at the very end of the queen's life Tyrone came in and surrendered. Elizabeth had conquered Ireland where her predecessors had

¹ While Mountjoy got the credit for this plan, it was clearly outlined as early as 1590 by Edmund Spenser, the poet, in his *View of the Present State of Ireland*, as was recognized by Oliver Cromwell. See J. W. Hales, *Edmund Spenser*, in *Works*, Globe ed., lii.



failed. Thenceforth Erin was to be in fact as well as in name a kingdom under the same crown as England.

During these campaigns Cary gave Mountjoy unwearied support in the inconspicuous but essential article of keeping the forces in the field supplied. He had the lord deputy's hearty appreciation, and that of the home government as well. When in October, 1600, Cary first proposed to ask to be relieved of office so that he might return to Devon to settle his private affairs, Mountjoy wrote to him:

From the camp some three miles beyond Newry: If your occasions be not great, presently to leave us, I do much wish your abode in this country till we are driving backwards. For I find a great comfort in your care which I fear we shall miss when you are gone.

It was about this time that the privy council wrote to the lord lieutenant of Devonshire that they wanted consideration given to Cary's deputies in county affairs because of the merit of his service in Ireland; and again, in January, 1601, they asked the lord treasurer for a supersedeas of some proceedings which had been instituted for recusancy against George Cary's brother Richard on the ground that the treasurer at wars required his brother's aid in his private affairs and his public services merited that consideration.



Again, in May, 1602, the privy council considers a memorial from Cary proposing various projects for the improvement of fiscal and administrative conditions in Ireland, upon all of which the council took action substantially in accord with Cary's recommendations.

Almost immediately on taking office he had begun to report to Cecil in a series of letters which illustrate his intolerant Protestantism, his shrewd appreciation of men and things, and his bluff and vigorous address.

August 10, 1601:

The rebels have hope of the Spanish. I am in good hope that the late northeast wind hath sent most of them to the devill by this time.

Referring to Tyrone:

I have told his lordship [Mountjoy] there is no returning without dishonour unless this arch traitor is pulled down.

September 5, 1601:

We have no news of the Spanish fleet arriving: and if they are at sea in such weather as this I hope most of them are with God or the devill by now; and to which of the two places I care not so they come not here. Their coming would have been a mighty garboyle in Ireland.

As to complaints which he understands certain merchants are making of him in the matter of exchange:



It is not possible at first to meet with the suttel devices of the merchants: but when I am allowed to see their charges I hope I shall be able to answer them. As things are, I must either wrong her Majesty (which I will never do) or else content but a few; and, therefore, I am always subject to every malignant spirit. I care little for all that and shall always be a true servant to the Queen.

September 13, 1601:

After rehearsing at some length his continued difficulty with the merchants, he concludes:

I am overburdened with business and weary of my life. Pray excuse my rude writing.

September 27, 1601:

He reports the arrival of 35 Spanish ships at Kinsale with 6000 men, giving themselves out to be 11,000. They have come, they say, for the supportation of the Roman Catholic religion, but who would believe them.

October 15, 1601:

The Spanish at Kinsale have, he says, no horses, "neither ape nor asse."

January 15, 1602:

After the capitulation of the Spanish at Kinsale and the retreat of Tyrone to the north, he says:

I have sent messengers to cross Tyrone on his return and obtain news. I hope the Lord Deputy will prosecute the traitor in his den and not omit the opportunity now offered to pull him on his knees.

October 10, 1602:

He hopes Tyrone will soon "be ruined." He recommends Sir Oliver Lambart¹ for the government of Athlone, as "a good stirring gent who will not forslowe his business." He continues:

I am glad a Chief Baron is being sent out and hope he will prove an honest gentleman fit for the Queen's service, if this country do not infect him, which he voweth and protesteth utterly to avoid.

January 28, 1603:

I pray for you and wish the clog and burden of accounts was off my shoulders and that I could serve the Queen in England in the meanest service.

Despite his disgust with them, his statements of his accounts during this period are admirably lucid and legible, *e.g.*, that for the year ended at Michaelmas, 1601.²

In the beginning of 1603 Mountjoy felt that he had finished his work; he and Cary, being on the best of terms, had evidently agreed that they should retire together. In a letter dated at

¹ Lambart was a comrade of Captain George Cary in the Low Countries and at the sack of Cadiz. He named one of his sons Cary after his friend or the lord deputy. He had a distinguished career in Ireland as an administrator, and in 1618, just before his death, was created Baron of Cavan in the Irish peerage.

² *Cal. State Papers, Ireland (1601-1603)*, 194.



Trim, January 25, 1603, Mountjoy ends with a joyful wish from one Devon man to another :

Farewell, noble Mr. Treasurer, and God send you happily to Cockington and me to Beerferris, and much good may the shortness of this country do our successors.

Again, on March 19 he writes to Cary in high spirits announcing his plans to receive on behalf of the queen the ceremonial submission of Tyrone, and ending: "Vale, insignissimi Domine Thesaurari."

These dreams of early retirement in peaceful Devon were destined to be suddenly shattered for Mountjoy and Cary both. On March 24, 1603, "good Queen Bess" was dead, and James the Sixth of Scotland was James the First of England.

The news was not received in Dublin until April 5, when Mountjoy at once proclaimed the new king at the market cross in Dublin. His commission having expired with the demise of the crown, the late deputy was thereupon on April 6 designated by the council to administer the government as lord justice until the king's pleasure might be known.

Mountjoy justly felt that the conquest of Ireland, crowned by the formal submission of Tyrone, entitled him to ask of the king what he willed. He made up his mind promptly



that he should be relieved of the responsibility of government and be permitted to return to England, but he did not want to surrender the lord deputy's "entertainment," as salaries and perquisites were then euphuistically called. His secretary, Fynes Moryson, has left an amusingly frank statement on this point, including Mountjoy's plans for accomplishing his purpose: he was to be appointed non-resident lord lieutenant, leaving his own deputy in Ireland to carry on the government. The Irish council, including Cary, fell in with this, though they were perhaps not advised of the detail about the entertainment. They adopted and despatched a petition to the king "to make the now Deputy his lieutenant with authority to leave a Deputy in his absence," assigning as their reason "lest the country (still unsettled) should conceive (as usually they do) that he will return no more hither and thereupon break into new disorders as they are very apt to do, mistrusting harsh measures from every new Deputy, till they have experienced of his sincerity."

James evidently felt the force of this argument, for on April 21, while still on his way to London, he signed a commission to Mountjoy as lord lieutenant, which was his first recorded appointment as king of England.¹

This petition of the council was carried to

¹*Egerton Papers*, Camden Society, 367.

James by Sir Henry Danvers, with instructions from Mountjoy to make to the king orally his own suggestion as follows:¹

If it shall not please his Majestie to resolve for the present on some other man to undertake this Government, but onely to leave the authoritie to some fit man's hand during my absence, and if hee bee resolved to make choise among those that are here present, and therein shall require my opinion, you shall say that although I will not presume to recommend any to his Majestie, yet I doe thinke Sir George Cary, Treasurer at Warres, to be most fit for that place, who hath already been Lord Justice of this Kingdome, and howsoever he be no soldier, yet is well acquainted with the businesse of the warre wherein he hath been ever very industrious to advance the service.

Moryson adds that Mountjoy intended that he should reserve to himself two thirds of the lord deputy's pay, but as he appreciated that "no man was able to support the place of Lord Deputy" with only one third of the entertainment, he thought that Cary by continuing to be treasurer with the pay of that post would be content to take on the responsibility of lord deputy with one third of the regular allowance. As Mountjoy

¹Fynes Moryson, *Itinerary*, II, iii, 284.

Danvers, afterwards Earl of Danby, had, as a boy, murdered Henry Long in a family feud in Wiltshire and had to flee the country, when he served under Henri Quatre in France, and was knighted at the siege of Rouen in 1591. By the French king's intercession Elizabeth pardoned his crime and he became a friend and follower of Mountjoy. His elder brother was involved in Essex's downfall and was executed. His mother married Sir Edmund Carey, one of Lord Hunsdon's sons.



knew Cary's age and his desire to go home, all this was a thoroughly selfish proposal. There is no record of what Cary thought of it: we only know that he acquiesced, doubtless with some understanding that the arrangement was temporary and that Mountjoy was to procure for him later some suitable reward for his disappointment at the delay of his return to Devon. Accordingly, as a preliminary, on April 25, 1603, Sir George Cary was appointed to the post of "Treasurer and Receiver General of Ireland,"¹ superseding his old function as treasurer at war. In June Mountjoy returned to England, taking Tyrone with him to grace his triumph, and was received by the king with high honor, being made a member of the English privy council: shortly thereafter he was promoted to be Earl of Devonshire.

Sir George Cary was meanwhile installed in charge of the government in Ireland and assumed the sword of state in his own right. His patent as lord deputy has not been found, but it is clear that Mountjoy's entire program was not carried out, for Cary was constituted the king's deputy, not Mountjoy's. Thus in formal documents the address was at first (*e.g.*, a command dated July 1, 1603²):

¹ *Cal. State Papers, Ireland* (1603-1606), 29.

² *Cal. State Papers, Ireland* (1603-1606), 65, and the discussion in the *Preface*.



The King to the Lord Mountjoy, Lieutenant of Ireland, and in his absence Sir George Cary, the King's Deputy, These.

Later Mountjoy's name was omitted altogether: his office had been recognized as a sinecure.

In the long and troubled history of Ireland under English dominion the conspicuous fact is that England has been thoroughly successful only in exciting and suppressing rebellion. Her crowded hours in Ireland have always been spent sword in hand. Such a period ended with the departure of Mountjoy. The stimulating sport of hunting down rebels being finished, most of the large company of picturesque Elizabethan Englishmen who had followed Mountjoy in the field now followed him home, just as men leave a grouse moor at the end of the season. Those who stayed behind had an uncongenial but necessary task: to attempt to create in Ireland what they called civilization; what they meant was that they hoped to make of Ireland a Protestant country with orderly English habits, of thinking solidly without logic each man for himself, and of eating and drinking robustly. The Irish Celt was no more capable of taking this prescription in the time of James I than he has ever been since. He was as unfitted by temperament to become a Puritan as he was physically unable, in the desolate condition of his



country, to fill himself with roast beef and October ale. Yet such was apparently the muddling policy of "after-the-war reconstruction" which was assigned to George Cary.

He was old and weary of office and of Ireland. He had no such conscientious itch for reform as characterized his successor Sir Arthur Chichester: he had had enough experience with the Irish to have no illusions. It is not extraordinary that he accomplished but little during the nineteen months that he held the sword of state, when the younger man who followed him in office and gained a larger place in history could show but a small credit balance for nearly ten years of conscientious, intelligent, and unsympathetic work on such a policy.

If the deputies of James I did not succeed in making Englishmen out of the Irish, George Cary's credit is that he set on foot an economic revival of the country which during the quarter-century following his term of office served the end of transferring Ireland from the debit to the credit side of the English balance sheet: so that Clarendon was able, with much truth, to make of Ireland a cheerful exhibit to his picture of the happy state of England during the early years of Charles I.¹

¹"Ireland, which had been a sponge to draw and a gulf to swallow all that could be spared and all that could be got from England merely to keep the reputation of a kingdom, [was] reduced to that good degree of husbandry and government, that it



George Cary's most important service for Ireland during his brief term of office as lord deputy was really part of his problem as treasurer.¹ His authority in the higher office gave him opportunity to accomplish something which he had learned to be at the root of all evil in Ireland: something which did not attract, or in any event did not hold, the attention of Mountjoy, preoccupied as he was with his soldiering. For years it had been the practice to debase the Irish coinage, but during the administrations of Essex and Mountjoy Ireland had been flooded with sound English money sent over to pay the army. It was soon found that, by the agency of merchants as well as the machinations of the rebels,

not only subsisted of itself, and gave this kingdom all that it might have expected from it, but really increased the revenue of the crown forty or fifty thousand pounds a year, besides much more to the people in traffic and trade from thence: arts and sciences fruitfully planted there: and the whole nation beginning to be so civilized that it was a jewel of great lustre in the royal diadem." (Clarendon, *Rebellion*, i, 133.)

¹ On April 23, 1601, an indenture (Rymer, *Fœdera*, xvi, 414; see also Ruding, *Annals of the Coinage* (1840), ii, 354) was executed by Elizabeth appointing "Sir George Carye, Knt., to be master of her highness' exchange between England and Ireland, by himself or deputy, during her highness' pleasure, with power to nominate, within the cities of London, Bristol and West Chester, in the realm of England, and within the cities and port towns of Dublin, Cork, Galloway and Carrickfergus, within the realm of Ireland, and in other cities, towns or ports of the said realms, as many officers as he shall think convenient for the said exchange." The purpose was to restore and keep English money in England, and to that end it was required that all financial transactions between the kingdoms should be carried on by bills of exchange issued by Cary, who was expected to collect and ship to England all the English coin and plate he could lay his hands on in Ireland.



this drifted into foreign countries rather than returned to England, to the serious depletion of the home supply of coin: whereupon in 1601 it was decreed that all English coin should be collected and remitted to England and a new coinage of base money was minted for Ireland which reduced the Irish shilling to be worth no more than 3*d* sterling, nor was it expected to pass for more than 4*d*. This was not only the cause of real suffering, but a prohibition against any economic revival following the war. Cary lost no time in representing these conditions with his characteristic bluff vigor. He wrote to the privy council in England:

July 12, 1603:

Your lordships should be made acquainted with the hard condition of the Kingdom through the scarcity of all things and the excessive prices of all things, from the universal dislike of the new standard: the people fearing of late that it shall be decried. They refuse to sell anything they have for it, except they receive six or seven for one, or be paid in silver money, for their wares. Their ordinary speech is they will keep their wares in their shops rather than vent them for this money, seeing they can make no use of it. The way for the King to relieve his poor subjects is to consider a course for the alteration of the coin, and the sooner the better for His Highness.

He followed up this formal appeal with several strong personal letters to Cecil. The warning was heeded and Cary was allowed to have



HENRY GEORGE CARY
1800-1840
OF TOR ABBEY



his way. On September 17 the king wrote from Woodstock that he "is resolved to take away the base money current of late years and still current in Ireland and to establish a new standard." A new Irish "harp" shilling was accordingly minted on the ancient Irish standard "of nine ounces fine silver," and after some proposal to curtail its nominal value in exchange with England against which Cary stood out shortly and successfully, the lord deputy had the satisfaction on December 3, 1603, of proclaiming this important fiscal reform as an accomplished fact.¹

One of the problems Cary had inherited from his predecessor was the punishment of William Mead, recorder of Cork, for the part he had taken in fomenting disturbances in that city. Mead was indicted and put to his trial before a jury of Irishmen. Although the proof of guilt was conclusive, the jury voted unanimously to acquit their countryman, doubtless wondering why the Saxon was fool enough to leave the matter to them. Cary exploded with wrath, had the jury haled before him in the Castle Chamber in Dublin (the court which answered to the English Star Chamber), fined them heavily and required them to appear at their home sessions with papers around their heads stating they had been guilty of perjury. He wrote to Cecil in a

¹ *Cal. State Papers, Ireland (1603-1606)*, 1-93 *passim*. See also Gardiner, i, 372.



state of exasperation with all Catholics and all lawyers as if they were guilty of a common crime:

September 2, 1603:

This country of late swarms with Jesuits, seminaries, friars, massing priests and Romish bishops: if there be not speedy means to free this Kingdom of this wicked rabble, much mischief will burst forth in a very short time. There are here so many of this wicked crew as are able to disquiet four of the greatest Kingdoms in Christendom. It is high time they were banished and none to receive or aid them. Let the judges and officers be sworn to the supremacy: let the lawyers go to the Church and show conformity or not plead at the bar, and then the rest by degrees will shortly follow.

There will be much ado at Michaelmas when this great cast of 4000 shall be.¹ I wish to God the King had some use of their services in some other place: for here will they live upon spoil and to do mischiefs; labour will they never, and rob will they still.

For all these tremendous threats it is interesting to note that Cary did not set on foot or permit any religious persecution during his term, such as marred the record of his successor, or as brought official disgrace to his kinsman Lord Falkland when he was lord deputy twenty years later.

James I had promptly inaugurated the practice which in the eighteenth century became a

¹He refers to the reduction of the army in Ireland, then in progress.



by-word, of rewarding services in England "on the Irish establishment." Cary watched this with grim amusement. To Cecil he wrote:

November 20, 1603:

If His Majesty give away so bountifully as of late His Highness hath done, I shall not be much troubled with the gathering of the revenue.

We have glimpses of the Lord Deputy on the personal side. He was fond of field sports. He recommends to Cecil an Irish breed of greyhounds, and later selects some to send over to him; he commissions Sir Francis Stafford to secure him some hawks in Ulster while the army is in the field, and sends "rufter hoods" for them. He was evidently fond of exercising his viceregal prerogative of dubbing knights. It appears that during his brief term of office he created more than were furnished forth during the long terms of his predecessor and his successor taken together.¹ Cary apparently performed this function when he was himself in a cheerful mood, for the record indicates such occasions as "at Christ Church after the sermon," "at the castle after supper." The rich old Earl of Cork recalled years afterwards, with apparent satisfaction, in his *True Remembrances*, already quoted, that he had been knighted by Sir George Cary.

¹ *Cal. Carew MSS. (1603-1624).*



In the winter of 1604 Dublin was visited by the plague. Cary made it an excuse to withdraw to the country, though the others of the council remained in town. He held himself somewhat aloof from his associates, meanwhile constantly writing to England to ask for his recall. Perhaps he felt the weight of a growing unpopularity and was oppressed as well as aggrieved, after his years of service, by the jealous gossip leveled against him by those whose greed he had steadily set himself to limit. Dublin was full of whispers that he had used his office for his own profit. He had never courted popularity and was no supple politician: it is clear that he never took the trouble to propitiate even his friends, much less his enemies. His whole career in Ireland was in his own opinion a contest with the beast at Ephesus. In the official class in Ireland (then called the "servitors") there were groundlings who listened to the complaints of the merchants whose avarice Cary had thwarted until they believed their suggestions; they knew that he was too old to be ambitious, and they assumed because he was rich and because many about them were corrupt that he too must be corrupt. They forgot that he was a rich man when he came to Ireland, and they saw only his close and pitiless attention to his own affairs, a characteristic of his whole career, which, with age, doubtless hardened into something like avarice.



rice. He had based his public life on these characteristics: they were the defects of his qualities. He is of course responsible for official abuses by his subordinates, and it seems clear that such abuses were prevalent at the end of his term, when he was weary and no longer alert, but one is not convinced by the record that Cary was ever himself what we would now call a grafter, even in an age when that practice was never a disgrace, much less that he was personally dishonest. His own assertions on the subject may not be evidence,¹ but taken with everything else we know of him, they ring true, and read in connection with the unwavering confidence which Walsingham and Cecil put in him all during his career, and the considerate statements of gentlemen like Davies and Chichester, they are persuasive. Nothing was ever proved to Cary's discredit: on the contrary, after he had left Ireland and was once more a private person, with no power for good or evil over the servitors, his accounts were all approved and honorably settled. The officials did not give him credit for the trait which was a proof of his fitness to be an executive: all during his career he showed a just appreciation of his responsibility to subordinates.

¹The most interesting of them is the inscription he had put at the very beginning of his career on his miniature by Isaac Oliver: "free from all filthie fraude." This has a good Elizabethan ring, but in view of the Irish reputation Hamlet's mother might say that it "doth protest too much, methinks."

In a letter to Cecil early in his term as deputy he said:

August 13, 1601:

In the present state of the Treasury I hesitate to comply with your instructions to give my Lord of Tyrone or his assigns a bill of exchange for 6,000£. I honour and love the Lord of Tyrone, being now a good subject, but I would presently draw a general discontent upon myself of all the servitors in the Kingdom if they should see that others are more respected than they. I swear by the living God that if I had money I had rather leave it out of my purse than to breed myself such dislikes.

Three years later he writes to Cecil again in the same strain:

October 7, 1604:

I do protest that I never used a penny of the King's for private use, but have often forborne my own entertainment and have borrowed of others to get the servitors contented. There is now 6,000£ borrowed and more, to be paid in England or else my credit is lost forever.

There has been preserved among the State Papers a report made from Ireland to the Earl of Northumberland,¹ dated January 6, 1605. The signature was destroyed for the protection

¹ Henry Percy, ninth Earl of Northumberland (1564-1632), was a great noble who was disappointed of the influence he expected to exercise over James I: particularly was he jealous of Cecil. In 1605 he was apparently collecting evidence with which to discredit Cecil's management and so secured hostile reports on Cecil's officers, of whom George Cary was one. Northumberland was involved later in the same year in the gunpowder plot, and while no direct connection with that attempted crime was proved on him, he was held a prisoner in the Tower for the next sixteen years.



of the writer. From this we may gather what poisoned arrows of gossip were shot at the old Lord Deputy:

I beg you to excuse my not writing, all ports being infected. I was loath at any time to send my letters by such as the Lord Deputy employs for England lest they should not be safely delivered. And now finding the bearer, a servant of my uncle Sir Garrett Aylmer, bound for London upon his master's service, I write by him, to advertise that about three weeks past the Lord Deputy embarked the most part of his money, plate, jewels and stuff and sent them away for England under the charge of his faithful servant John, an old Scottishman, and one Captain Atkinson. It is believed that the goods were of great value and that his lordship made such a hand for enriching himself in this land as the like was never done by any other that supplied his place. I am well assured he had all the means to enable him so to do, for first being Treasurer and master of the exchange of both realms he and his paymasters made a great hand that way especially in passing of many bills of exchange in the names of divers that were never privy to them, and in paying the army and others in the mixed monies: and secondly, being himself Deputy, he disposed the money as pleased him, no one daring to question his doing, having both the sword and the purse in his own hands.

In his formal appeal to be relieved, Cary had on July 16, 1604, recommended Sir Arthur Chichester¹ to supply his place, and on July 16 the king wrote that Chichester would be appointed.

¹ Arthur Chichester (1563-1625) was another Devon man who had had a distinguished career as a soldier and administrator in Ireland under Mountjoy and Cary. When appointed lord deputy he was forty-two years of age, and continuing in office for nine



Chichester demurred, pleading his unfitness for such high honor and responsibility, but although this modesty was undoubtedly sincere, he had another and more particular reason for his hesitation.¹

The privy council insisted in terms highly complimentary to Chichester: a formal recall of Cary with a definite appointment of Chichester was accordingly despatched on October 15, 1604. By reason of contrary winds it did not reach Dublin until the end of December. Meanwhile, in his impatience, Cary had written to Cecil once more despairing of the republic because the king continued to give away Irish estates:

October 7, 1604:

I must fain lament my hard hap not to have leewe to quit Ireland where I serve only (to my grief) to be the means to pass away the King's best lands and tenants: for I can see no direction for the settling of this Kingdom in any good fashion.

years he has been given the credit for the reconstruction of Ireland after the suppression of Tyrone's rebellion. In his *History of England* Gardiner makes a hero of him, even claiming for him much of the credit for what little George Cary accomplished. Chichester was a courteous gentleman, diligent in business, but over-cautious and apparently utterly without any sense of humor. He was limited by an appetite for meticulous detail apparent in his careful endorsement on every paper which passed through his hands. He was more the type of the modern administrator than of the Elizabethan. For his services in Ireland he was raised to the peerage as Lord Chichester of Belfast. For the Chichester family see *H. & G.*, vii, 171, and the book there reviewed. One will remember the picture of them at the beginning of the second chapter of *Westward Ho!*

¹ The papers on the transaction are well worth reading. See *Cal. State Papers, Ireland* (1603-1606), 175, 183, 204, 206, 243, 245.



Even after the receipt of his commission Chichester declined to accept the sword. The report to Northumberland of January 6, 1605, which has been already quoted, gives the clew to his reason:

The Lord Deputy is much troubled in mind that Sir Arthur Chichester refused to receive the sword at his hands. But many commended him for so doing since the third part of the entertainment, two other thirds being reserved for the Lord Lieutenant, was not able to support his charge in the place. The Lord Deputy has sent his man Bingley¹ over to procure some further order for Sir Arthur to take the sword, for fain would he be away now that he sees the army still a cashiering and his benefit lessened directly.

This point had meanwhile been arranged and Bingley at last returned with a warrant for Chi-

¹John Bingley had been one of Sir George Cary's treasury officials in Ireland and had evidently made himself useful, for the old Lord Deputy named him an executor in his will. He appears to have been a busy, pushing person, obsequious to his superiors and overbearing to subordinates. There can be no doubt, from his subsequent career, that he had abused Cary's confidence in Ireland and that the Dublin gossip in 1605 was founded on his practices. After Cary left Ireland, Bingley secured the post of remembrancer of the exchequer in England: in 1617 he married a lady (a Neville, widow of Sir John Grey), and got himself knighted by James I in 1618. His official chief was now the Earl of Suffolk, whose beautiful wife, living beyond her means, employed Bingley to negotiate bribes for her influence in getting treasury business despatched. In the end there was a Star Chamber trial, at which Suffolk, his wife, and Bingley were all convicted, fined, and imprisoned, but subsequently pardoned. Bacon, then lord chancellor, and himself guilty, as it proved, of much the same kind of traffic, denounced Bingley at the trial in a phrase which has perpetuated his insignificant name. Bacon "compared the countess to an exchange woman who kept her shop, while her creature Sir J. Bingley cried 'what d'ye lack?'" (*Cf. Dict. Nat. Biog.* (reissue), x, 73; and Spedding, *Life of Bacon*, vii, 56.)



chester for an extra allowance of £1000 per annum and £500 for an outfit. And so at last, on February 3, 1605, Cary surrendered the sword of state and was once more free. In his impatience to be off he left Dublin on the first opportunity, hurriedly and without notice.¹ A letter from the solicitor-general Sir John Davies² to Cecil gives a graphic picture of the preceding few weeks:

The weather has so interrupted that the packet directed to Sir Arthur Chichester and dated the 8th October did not arrive here till the end of December. And the other letters given to the Lord Deputy and Chichester by the hands of Jo. Bingley (to which Sir Arthur's letters has relation) are yet expected: for Jo. Bingley having put to sea upon Christmas eve was driven back by a tempest and hath not since been heard of. Sir Arthur being come up from Krickfergus is lodged in the Lord Deputy's house, where he continues private, not purposing to receive the sword until Jo. Bingley's arrival. . . . Since his coming he has plainly and frankly told the Lord Deputy what the world says and thinks of some things which have passed in his government. This has put his lordship into some passion and trouble of mind: but that which perplexes him most of all is the re-

¹ Davies' letter of Feb. 24. *Irish Cal.*, 1603-1605, p. 261.

² *Sir John Davies* (1560-1626) had made a reputation as a poet at Oxford which won him the notice of James when he accompanied Sir Robert Carey (afterwards Earl of Monmouth) on his notorious flight to Scotland to notify the king of Elizabeth's death. He was sent to Ireland in September, 1603, as solicitor-general, later became attorney-general, and in 1613 was seated, forcibly (actually in the lap of the recalcitrant office-holder), as speaker of the Irish House of Commons. In 1626 he was appointed chief



port of the Lord Lieutenant's displeasure towards him. The cause is understood to be some passionate complaints he made that the Lord Lieutenant would do nothing towards obtaining for him the degree of honour which (as they heard) was expected in England; and that if he [Cary] had not been provident and diligent his lordship [Mountjoy] had not been so well seconded in his martial actions in this Kingdom.

I urge you to perform a noble office of reconciliation, that this old gentleman being 70 years of age and who has supplied this place even by the Lord Lieutenant's own assignation, may retire into his country and descend into his grave in peace.

But Sir George Cary, for all that he was in his sixty-fifth year when he left Ireland, had no present intention of dying, peacefully or otherwise. He was undoubtedly disappointed in a hope to be raised to the peerage as a reward for his services, but doubtless the Dublin gossip barred his way. He returned to Cockington, a lonely house, for all his own family was gone. There in 1607 he married Lettice, daughter of Robert Rich, first Earl of Warwick of that name and of the celebrated Penelope Devereux, who

justice of England, but died before taking his place on the bench. Davies is best known by his elaborate book *A Discoverie of the State of Ireland*, published in 1612, but one who has read the Irish State Papers will find more pleasure in his graphic reports to Cecil. They show imagination, shrewd observation, a lively and entertaining style, coupled with tact and the manners of a gentleman, and remind one of Bismarck's youthful correspondence when he was Secretary of Embassy at the Diet of Frankfort in 1851.



as Lady Rich was Sir Philip Sidney's *Stella* and later mistress and wife of Mountjoy. Lettice must have been a child of about fifteen¹ when she was married to a man of sixty-seven. Her family's motive in making this sacrifice of Lettice is apparent, but on his side the marriage stands as a proof of Sir George Cary's dogged character and determination to the very end of his life. For all that her mother and her grandmother were both notoriously what is called "a bad lot," Lettice was a good girl and for ten years did her part bravely and dutifully in caring for her crotchety old husband, as he testified gratefully in his will.

The year after his second marriage, having provided liberally for his child-wife by her marriage settlement and despairing of further issue of his own, but ambitious that his name and dignity should persist, the old man settled the bulk of his property upon his namesake and nephew George Cary, a son of his youngest brother John Cary of Dudley. Four years later, on September 14, 1612, this settlement was revoked. There had evidently been a violent quarrel, and the old man expresses himself about his nephew

¹ Her elder brothers, Robert, second Earl of Warwick, and Henry, Earl of Holland, were born in 1587 and 1590 respectively. It is of interest in relation to her marriage to old Sir George Cary that Lettice Rich was a great-granddaughter of Katharine Cary, wife of Sir Francis Knollys, and sister of the first Lord Hunsdon.



in vigorous recitals in the revocation deed,¹ basing his action, he says,

for and in respect of the disobedyent, unrulye and disorderlye caryage of George Cary, gent., his nephew, unto whom the aforesaid premises by way of remaynder are by the said recited deed lymitted and appointed, and for and in respecte of his idle and unthriftie courses, all which have given unto the said Sir George Cary great doubte and fear that hee, the said George Cary, his nephew, (if he bee not otherwise restrayned) will in time consume, mispend and wast that great estate which hee, the said Sir George Cary, merely out of former love and affection, hath conferred upon him.

He maintained his interest in life until the very end. In 1606 he acquired the manor of Coffinswell, in 1608 that of Stokenham near Stark Point, and in 1610 the barton of Stantor adjoining Cockington;² but by far his most characteristic, and, indeed, important act at this time was that, despite his age, he was one of the enterprising Englishmen who came forward at a critical moment in the history of the infant colony at Jamestown to make up the fund of £30,000 then required by "his Majesties Counsil for Virginia . . . to settle there a very able and strong foundation of annexing another Kingdom of this Crown." In November, 1610, Sir George Cary subscribed £45 among those members of Parliament and other public men who then contributed £18,000 of the total requirement, as was

¹ *Cal. Tor Abbey Mun., H. & G.*, viii, 120.

² Dymond, *ibid.*, 84.

certified by the Virginia Council under date of February 20, 1611, in its public call for the remainder of the fund.¹

As a consequence of this act, in the third charter for the Virginia plantations which James I granted under date of March 12, 1612, Cary's name is enrolled with the other subscribers, in order, as the charter says, "that posterity may hereafter know who have adventured and not been sparing of their purses in such a noble and generous action for the general good of their country." Sir George Cary of Cockington was thus, at the end of his life, one of the Founders of Virginia, and, indeed, of the English dominion in America.²

For at least three years he was palsied and depended upon the ministrations of his wife and "Mrs. Elizabeth Riche, my wife's gentle-

¹ See Alexander Brown, *The Genesis of the United States*: for the call for the fund to save the colony at Jamestown and the list of subscriptions already obtained, pp. 463-470; for the list of names in the third Virginia charter, omitted by Stith, pp. 540-553.

² The old Lord Deputy was doubtless induced to make this subscription by his busy friend John Bingley, who was a subscriber for £75 and in the Virginia charter of 1612 was named as an additional member of the Council for the Virginia Company (Brown, *Genesis*, 549); but whatever the auspices, Sir George Cary's kinsmen who have made their careers in Virginia during the ensuing three hundred years may, as Alexander Brown justly says (*Genesis*, 808), "take as much pride in being of *Founders' Kin* as is taken by Englishmen in tracing from the *Roll of Battle Abbey*." They have other Virginia associations with the old Lord Deputy. His wife's brother, Robert Rich, second Earl of Warwick, gave his name to the county in which the Virginia Carys lived for many generations.

woman," whom he remembered handsomely in his will for "her careful and diligent attendance on me in the tyme of my sicknes."

On February 19, 1617, he died, being in his seventy-seventh year, and was buried in Cockington Church.¹

His associate in Ireland, Sir George Carew, the late president of Munster, now Baron Carew of Clopton, and later Earl of Totnes, announced the death in a letter to Sir Thomas Rowe, dated February, 1617:²

My olld shakynge kinsman, Sir George Cary, sometymes Lord Deputy of Irland, is dead, and his wife is now a riche widdow.

It is a satisfaction to know that Lettice Cary did not long remain a widow but during the same year, 1617, married a man of her own age, Sir Arthur Lake.³

Sir George Cary's will, dated August 7, 1614,⁴ is an interesting document in several respects. It affords a glimpse of the state maintained at Cockington House in its enumeration of that

¹Prince (182), followed by Vivian (151), makes the date 1615/6, but Mr. Dymond (*H. & G.*, viii, 84, 121) shows by the manor court rolls that Sir George was still alive on November 21, 1616; his will (P.C.C. *Weldon*, 47) was not proved until May 22, 1617, thereby confirming Sir George Carew's statement that the date was 1617. See also *Inq. p.m.*, 15 Jas. I, pt. 2, No. 195.

²*Letters of George, Lord Carew*, Camden Society, 86.

³Vivian, 151, and *Dict. Nat. Biog.* (reissue ed.), xi, 419.

⁴Proved May 22, 1617. P.C.C. *Weldon*, 47. See also *Inq. p.m.*, 15 Jas. I, pt. 2, No. 195.



famous plate the sudden removal of which from Dublin had caused gossip in 1605. In making bequests to his wife from his personal estate Cary wishes "that my meanes were such as I might, accordinge to my desire in a more bountifull measure answer her love & care of me," and proceeds to bequeath

unto the Lady Lettice Cary, my deare and most Beloved and esteemed Ladye & Wife . . . my best basin and ewer gilt, and two of my best silver potts gilt, belonging or used in service with the same; on greate broad silver cuppe gilt with his cover commonly called the Catte; fower standinge silver boles gilt with their covers gilt, the forme of a Swanne standinge on the toppe of every of the said covers; three standinge silver cuppes gilt with their covers gilt on every on of which covers standeth a piramidist on the toppe; two other standynge cuppes gilt, with their covers gilt, usually standinge in the cupboard in her chamber: . . . my two greate Saltes with on cover gilt & the trencher salt gilt commonly used with the same . . . twelve silver dishes of fower several sorts or sizes; on dozen of silver gilt spoones; on silver warminge panne; six silver candle sticks . . . my best and fayrest Turkey carpett . . . the hanginges, Bedsteades, Beddinge and furniture of three several chambers . . . to weete, of the chamber over the greate p'lor, of the chamber wherein I usually lye, & of the chamber wherein she her self doth usually lye.

But the will leads us also to a conjecture in conclusion. On his return from Ireland Cary had evidently felt the obligation of his position and estate to do something handsome in the way of charity. Remembering his experience as a



ROBERT CARY
1828-1898
OF TOR ABBEY





trustee of Sir William Cordell's hospital years before, he determined on a foundation of the same kind of his own. So he created a trust, charging £30 per annum upon Cockington, for the establishment upon the estate of seven almshouses, consisting, says Prince,¹ of "so many apartments all under one roof, for seven poor people of that parish, every one having a ground room and a chamber over, with a little distinct herb garden enclosed with a stone wall: to each of which also he allowed one shilling per week, with a new frieze gown and a new shirt or shift yearly at Christmas."

This may have been done out of mere worldly pride, but the will shows that by 1614 his mind had softened and turned not only to charity but to piety. The religious preamble, conventional in wills of the period, has more than a conventional tone and form, indeed something of fervor:

Being myndfull of the ffraylty of man's fleche always declyninge, the necessitye of death continually approachinge, and the uncertainty of his dissolucion sudenly stealinge on hym: and withall knowinge itt expedyent in the tyme of health to dispose of my temporall affairs, that, so beinge ffreed of all Terrene and worldly cares at my last ffarewell and passage hence, I may give myself wholly unto Spirituall and ghostly matters for the health and eternal comfort and joy of my Soule, Doe therefor att this present, being of whole

¹ *Worthies of Devon*, 182.



mynde and perfect Remembrance (Thankes be unto Almighty God) make and ordayne this my last Will and Testament . . . I doe willingly & with a free hart give againe unto the hands of God my creator my Spirit.

By way of charity he provides legacies, of £100 on the day of his funeral to the poor of Cockington parish, of £100 per annum for three years to the poor of said parish whom it was his practice weekly to relieve, and £100 to the poor scholars of Oxford University with a like sum to those of Cambridge.

George Cary's whole active life was evidence of his acceptance of the reformed religion and of his hearty Elizabethan hatred of the papists. It is possible that he inherited this sentiment from his father, who also was a practical man, but his family generally seem to have stood to the old religion, following the example of the Compostela pilgrim. We have evidence that during George Cary's life his brother Richard, the lawyer, was prosecuted for recusancy; in 1622 his next younger brother, John Cary of Dudley, applied to the king for a license to hold Cockington and other manors by inheritance from Richard, showing that he too was a Roman Catholic; and finally in 1646 we find that portion of the old Lord Deputy's property which had come into the hands of his nephew Sir Edward Cary of Marldon, under sequestration for



the recusancy of the owner. We shall see that the Carys of Tor Abbey have continued steadfast in their faith to Rome: so George Cary in adjusting himself to his time in the article of religious practice won himself out from the routine of his kin. His statement of faith in his will is, then, the more significant. It has no sign of the intolerance of the days when the Spaniards landed at Kinsale, no Puritan twang, but indeed something of the serene and comfortable form of the Catholic version of man's belief in the immortality of the soul. Perhaps at the end of his life Sir George Cary was again under the influence of the old Church, the Church of his ancestors.



CHAPTER TWELVE

THE CAVALIERS OF COCKINGTON

When Charles I raised his standard at Nottingham on August 22, 1642, almost every recognizable Cary of that generation,¹ like Kentish Sir Byng,

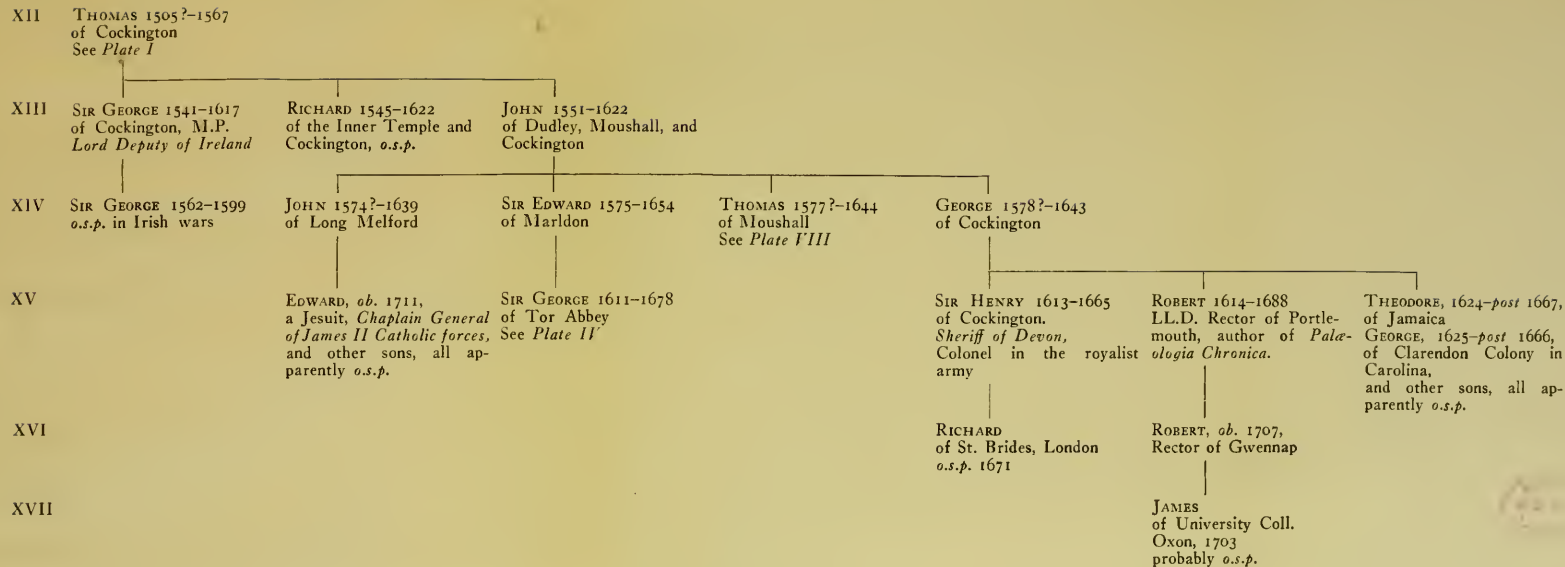
stood for his King,
Bidding the crop-headed Parliament swing.

Cary of Devon did its share. Like Clovelly, Cockington contributed to the king's cause a soldier and a parson.

On the death of the Lord Deputy in 1617, the bulk of his estate descended, under his final deed of settlement, to RICHARD CARY (1545-1622), "of the Inner Temple," his next younger brother, who was at the time seventy-two years of age and a bachelor. There are only fugitive scraps of

¹ The exceptions were principally of the Hunsdon family, viz.: John Carey (1608-1677), Lord Rochford, afterwards third Earl of Dover, and Horatio Carey (1619-*ante* 1677), both of whom were in arms for the Parliament at the beginning of the war, but deserted the cause when the Independents attained power: the latter, indeed, later served as a colonel in the royal army and was knighted.

PLATE III
CARY OF COCKINGTON





evidence for him: he seems to have been a practising lawyer during most of his long life, an executor of his father's will, the agent of his brother George, and the author of the digest of the pleadings in the first part of Sir Edward Coke's *Reports*, written in law French of the most barbarous period and entitled *Le necessaire use et fruit de les Pleadings*, etc., which was published at London, 1601.¹ He survived until May, 1622,² when, still under the terms of the Lord Deputy's settlement, there succeeded at Cockington another elderly brother from whom descended all the representatives of the South Devon tradition who may now be identified, namely: the cavaliers of Cockington who lost that estate, the merchants and manufacturers who had their origin in the Moushall household, and the still persisting families of Tor Abbey and Follaton.

This JOHN CARY (1551—*post* 1622) left Devon in his youth to reside at Dudley Castle in Staffordshire as "Ranger of the Chace of Pensnett, co. Staff, of Edward, Lord Dudley."³

¹ While Allibone and Watt are somewhat vague in their attribution of this book, the catalogues of the Middle Temple library and the Advocates' Library, Edinburgh, both credit it to Richard Cary.

² *Inq. p.m.*, 20 James, pt. 2, No. 11.

³ Visitation of Staffordshire, 1664, William Salt Society *Publications* (1885), v, pt. 2, 72. This Edward Lord Dudley (d. 1643) was the ninth and last of the Suttons, barons Dudley, of Dudley Castle. Dugdale says with commiseration that, having lavished

There he married a lady recorded in the Visitation pedigrees simply as "da. of Norton." By this marriage, or in some other way, he displeased his father. He may have been a sort of Will Wimble. He is not mentioned in the paternal will, but his prosperous elder brother provided for him and his large family of sons.¹

his property on a concubine and being involved in debt, in order to save his lands he was obliged to bestow the hand of his granddaughter and heiress upon Humble Ward, the only son of William Ward, an opulent goldsmith in London. His wisdom, in the face of Dugdale's sneer, is apparent in the fact that his descendants by this marriage still hold his lands and are now earls of Dudley.

¹ They were:

I JOHN, "of Long Melford," co. Suffolk. The Lord Deputy made no provision for him, as for his other nephews, in either his last deed of settlement of 1612 or in his will. This may be explained by the assumption that he had already set him up in life at Long Melford. It will be recalled that the Deputy was a trustee of Sir William Cordell's hospital at Long Melford and doubtless acquired property there, as we know he did in Staffordshire. He died in 1639, leaving a will (P.C.C. *Harvey*, 173), naming sons John, Thomas, Edward, Francis, and Ignatius, and five daughters. His widow Judith died in 1649, leaving a will naming three of the daughters. Of the sons there is no record except Francis, who is recorded by Mr. Dymond, somewhat doubtfully, to have died in 1643, and Edward, who went to Rome in 1646, and was ordained a priest. On the accession of James II he became chaplain-general to his majesty's Catholic forces, and after the revolution spent the remainder of his life, until 1711, in secret intrigue between James and his friends in England. (*Dict. Nat. Biog.*, iii, 1149.) He was the author of *The Catechist Catechized concerning the Oath of Allegiance*, 1681.

II SIR EDWARD, of Dungarvon, Ireland, and Marlton, co. Devon, the ancestor of the Tor Abbey and Follaton family. See *post*, p. 288.

III THOMAS, of Moushall, co. Stafford. See *post*, p. 691.

IV DUDLEY (evidently named for his father's patron Lord Dudley), of Livermead (in Cockington), who had eight children by two wives, all baptized or buried at Cockington, from 1629 to 1652. He was himself living in 1653 as a copyholder under his nephew Sir Henry Cary. His sons have not been traced in



During the latter part of his life he lived on the estate in Staffordshire known as Mousden, but later called Moushall, which the Lord Deputy had acquired in 1585,¹ and succeeded to Cockington just before his death. When he died does not appear, but it is probable that he survived his brother Richard only a few months.

His youngest son was that GEORGE CARY (1578?–1643) who was intended by the Lord Deputy to take the place of his own lost son of the same name but by his “unrulye caryage” forfeited his opportunity to be the sole heir. Nevertheless, under the final settlement, he inherited Cockington on his father’s death and there he lived for many years, and there he was buried in 1643, passing on the estate intact, contrary to the expectations of his uncle. He had married Elizabeth, daughter of Sir Edward Seymour, Bart. of Berry Pomeroy, near Totnes, and a great-granddaughter of the Protector Somerset.²

connection with any surviving family. (See Dymond, *H. & G.*, viii, 97, 128.)

v GEORGE, of Cockington. See the text *supra*.

¹William Salt Society *Publications*, xvi, 231.

²See *Collins Peerage* (ed. Brydges), i, 192, and Prince, *Worthies of Devon*, 492. From her brother descended Speaker Seymour, *temp.* Charles II, and the present ducal house of Somerset. The splendid Elizabethan house built by the Seymours at Berry Pomeroy beside the ruins of the Norman castle of the Pomeroy is now in turn a ruin, but a most picturesque one. “Ivy, trees and moss drape and festoon the walls, with a richness of green such as only a soft climate like that of South Devon produces,” says the guide-book.



When in July, 1643, he died,¹ he left a large family of children.² The eldest son, SIR HENRY CARY (1613-1665), was then thirty years of age. In 1634 he had married his neighbor Amy, daughter of Sir James Bagge, of Saltram, and on coming into his estate was already the father of two of his five recorded children. When war came he immediately offered his services to the king, doubtless through his Seymour relatives, who were staunch Royalists, and in 1642 was enrolled as major in Colonel William Ashburnham's regiment.³ In 1643 he was appointed high sheriff of Devon and promoted colonel, when he raised and commanded a new regiment,

unable to stoop
And see the rogues flourish and honest men droop,
Marched them along, fifty score strong,
Great hearted gentlemen, singing this song:

God for King Charles! Pym and such carles
To the Devil that prompts 'em their treasonous parles!
Cavaliers, up! Lips from the cup,
Hands from the pasty, nor bite take nor sup
Till you're

Marching along, fifty score strong,
Great hearted gentlemen, singing this song!

¹ He was buried in Cockington Church, but no M. I. nor any will survives. See, however, the parish register in *H. & G.*, viii, 101.

² See *post*, p. 277.

³ See the Royalist army list in Masson, *Life of Milton*, ii, 442.



On July 30, 1644, King Charles knighted him at Crediton.¹

He seems to have been stationed in Exeter during the leaguer of the winter of 1645,² but we next hear of him in command of the Kingswear fort at Dartmouth on the approach of the Parliamentary army in January, 1646.

The war had now definitely turned in favor of the Parliament. After organizing the "New Model" army the young Parliamentary general Sir Thomas Fairfax had decisively defeated the king at Naseby (June 14, 1645). While Charles retired to Oxford, Fairfax turned west to meet the last Royalist army of any strength. At Langport, in Somerset, he defeated his old antagonist Goring; Bridgewater fell on July 24; and Bristol, into which Prince Rupert had thrown himself, was stormed after a three weeks' siege. The Royalists still in arms held Exeter and Dartmouth, with a substantial following throughout Devon and Cornwall, where the Prince of Wales was in nominal command. In October Fairfax found that after their arduous campaign his army was sick and weary, and so went at once into winter quarters to recruit his strength, but he had no intention of keeping quiet. A line of posts was established to block

¹ Symond, *Diary* (Camden Society), 54, and Metcalfe, *Book of Knights*.

² Cf. *Cal. Committee for Composition*, ii, 1140, 1368, 1420.



the strong city of Exeter in preparation for a siege, if necessary, in the spring, while Lord Goring was held at bay in Cornwall. In January, 1646, Fairfax reported his army sufficiently animated in health and spirits to permit him to open a new campaign at an unprecedented season. In the midst of snow and winter storms he determined to attempt the capture of Dartmouth in order at the same time to relieve Plymouth, which, though held in the Parliamentary interest, was under siege. After arranging with Captain Batten, commanding a Parliamentary squadron off the south coast, to blockade the river Dart, and so cut off escape by sea, Fairfax marched down the valley and summoned Dartmouth. He received a resolute denial from the governor, Sir Hugh Pollard, a stout Devonshire knight in command of a strong and well supplied garrison, most of whose officers were his neighbors and kinsmen, Carys, Seymours, and Fulfords.¹ Without a moment's hesitation, Fairfax prepared to storm, a project which, considering the natural strength of the place and the season, illustrates his own audacity and the dogged confidence of his army. On Sunday night, January 18, 1646, the assailants were given the watchword "God with us," and as an identification the soldiers were directed to leave "their shirts out before and behind." We

¹ Markham, *The Great Lord Fairfax*, 260.

may complete the story by Fairfax's graphic and nervous despatch reporting his proceedings:¹

(*Sir Thomas Fairfax to the House of Peers*)

My Lords:

After my coming to Totness the enemy rising in great disorder from their siege of Plymouth, leaving their guns and some ammunition behind them, I considered with those about me of attempting Dartmouth: and it being concluded affirmatively I caused two regiments of foot to march to Ditsam, and two to Stoke Fleming, being on the west side of Dart river. I having summoned the place before, resolved upon Sunday night to attempt it by storm; which was agreed to be done in three places: the first post was on the west gate by Colonel Hammond: on the north end of the town by Lieutenant Colonel Pride: and on Tunstal Church and works by Colonel Fortescue. The time resolved upon was in the evening; our men fell on with great resolution; to whom Colonel Lambert's regiment was a reserve, and to alarm the enemy elsewhere. Colonel Hammond entered the west gate, where four guns were planted, and two upon the mill pool upon his flank (the enemy firing his great guns but once). His men that had the forlorn hope did very gallantly (as, indeed, they all did) and went freely on and beat off the enemy, and possessed one fort after another, viz.: Mount Flaggon, the west gate, Paradise fort, and beat off the mainguard where were taken four Lieutenant Colonels: and so possessed the town from the west gate to Little Dartmouth. In the interior Lieutenant Colonel Pride attempted the north part of the town called Harness; where, beating off the enemy, he entered and took about eighty prisoners in it, and by it possessed all the north part of the town unto the drawbridge, which divided the

¹ *Sprigg*, part iii, ch. vii, 181; *Rushworth*, part iv, vol. I, 96.



north part from the rest of the town: where Colonel Hammond's men and his met. Colonel Fortescue with his men attempted Tunstal Church, which was very well manned, with above 100 men, and having in it ten guns: his men, after some dispute, with good resolution entered the place and possessed it. So that by this time the enemy was beaten out of all except the great fort on the east side of the river called Kingsworth [sic] fort, and the castle, with the fort that lay over the castle, at the mouth of the harbour called Gallants bower: to which last the governor and the Earl of Newport, and as many as escaped us, fled. After they were forced from their strengths out of the town the governor coming back from the castle to see in what posture the town was, had a remarkable shot as he was in the boat: a musket shot was made at the boat which pierced the boat and both the thighs of one that sat next to him and about three inches into his own thigh: whereupon he retreated to the castle.

Our dragoons, with two companies of our fire-locks and some seamen were only to alarm Kingsworth fort, wherein was Sir Henry Cary with his regiment, having in it twelve guns and twelve barrels of powder and convenient proportions of ammunition. This was a very strong fort with about four good bulwarks, strong enough to make a troublesome resistance: but the enemy came willingly to terms:¹ and to save time I willingly condescended to let Sir Henry Cary march away with the rest, leaving the arms, ordnance, ammunition, with all provisions in the fort, to me, and all engaging themselves never to take up arms more against the parliament: which was accordingly performed.

Next morning, being thus master of all but the castle and Gallants bower, I summoned that: the governor was willing to listen unto me: but I held him to those terms

¹ *Sprigg* (185) says that in the confusion the Kingswear fort "beat a parley three hours together before they were heard."



upon which, after some dispute, he yielded: which was to deliver himself and all officers and soldiers upon quarter. He sent me out Colonel Seymour and Master Denham as hostages, with whom came out the Earl of Newport, and all was this day performed accordingly. In this fort and castle were eleven guns, with proportions of ammunition and provisions.

We have taken in the harbour two men of war, one belonging to the governor of Barnstaple with twelve guns, burden 200 tons, the other belonging to New Castle, formerly Captain Johnson, of ten guns. In the town 103 pieces of ordnance and about 600 prisoners and 100 horse, with good proportions of arms and ammunition: an exact particular whereof I am not able to give your lordships at present.

There being many of the town, soldiers in Plymouth, and some officers, and understanding that that town hath 2500 in garrison besides townmen, I have sent thither for 500 foot for this place, who quickly will increase to more: and to this I desire your approbation: for having found more work to do I held it not fit to weaken my army, especially considering the recruits designed by you, I doubt, will be too long before they come.

I have given your lordships a brief account of this service, which I desire may be accounted a sweet mercy of God in a fitting season and only ascribed to Him who (truly) did direct and act it and made all the preparation to it, both in the ordering our hearts and giving health to the army, who laboured two months ago extremely of sickness but is now in good disposition generally to health. I can say I find it to be in the hearts of all here in all integrity to serve you: and that it is so, is still the mercy of God: for surely the success of your affairs only depends upon the ordering of a gracious Providence: which is no less visible in your counsels (which we congratulate) than amongst us: that



being the common root and spring of all, and which can and will carry you through the greatest difficulties and us in serving you, until God hath finished his work. Wherein to profess the obligation and readiness of myself and the army, by the same good hand of God, is all the undertaking of

Your lordships most humble servant

THO: FAIRFAX.

Dartmouth,

Jan. 20, 1645 [O. S.]

Having possessed himself of Dartmouth by these vigorous measures, Fairfax returned to Totnes, summoned the country, organized a new regiment, and so made his way to Exeter. After investing that city effectively, he marched to head off Sir Ralph Hopton, who had meanwhile succeeded Goring in command of the Royalist army in Cornwall and now was pushing across North Devon with the purpose of interrupting the blockade of Exeter. At Torrington Hopton was overtaken and defeated, and on March 14 the Royalist army in the west capitulated. The Prince of Wales had meanwhile escaped to Scilly and thence to France. Exeter surrendered on April 9, Oxford on June 20, and the king fled to the Scots. The campaign was over and the Parliament triumphant.

Thus began and ended Sir Henry Cary's brief career as a soldier. On Monday morning January 19, 1646, he had marched out of Kingswear with his regiment, having saved his honor and



gained such small credit as might be due to the only force at Dartmouth which were not prisoners. He returned to Cockington, and there we find him on June 15 surrounded by his mother, his eight brothers, and his two sisters.¹ His property was at once sequestered. He petitioned to be admitted to composition, alleging that "being very young at the time of the troubles he was persuaded to take up arms for the King," a claim which was not ingenuous, as he was thirty years of age at the time. He was fined £1985, estimated to be one tenth of his estate, and on December 24, 1647, received a pardon under the great seal: he paid the fine and his estate was restored to him. In April, 1651, while the preparations were making for Charles II's invasion of England, which ended at Worcester on September 3, Sir Henry's property was again sequestered. He claimed at the time "good behavior and peaceful demeanor towards the present authority" and asked to be advised of the new charges against him.² While it does not appear what came of this last proceeding, and Sir Henry had undoubtedly kept his parôle not to bear arms against the Parliament, the government had good cause to keep him

¹ See *post*, p. 277.

² See *H. & G.*, viii, 106, quoting *Royalist Composition Papers* on these transactions, and extracts from the *Journals* of the House of Commons, December 24, 1647.



under surveillance. Years afterwards he represented to Charles II that at this time he had made disbursements and payments for his majesty amounting to £28,600, as he could prove by witnesses; that he once had receipts for these sums but they were seized, he says, by General Desborough's officers, who plundered his whole house.¹

To raise and equip his regiment, to pay his fine and to provide funds for his large disbursements for account of the king, Sir Henry Cary had, of course, borrowed heavily and at ruinous rates. Finally and inevitably, some time in 1654, he was forced to relinquish Cockington and his other property for a sum "less than £30,000," which he subsequently claimed was inadequate for an estate which in 1642 had produced an income of £695.

And so the manor which had been acquired by the Chief Baron in 1374, for more than two hundred and seventy-five years, with the exception of one generation, had been the chief seat of Cary of Devon, and had been twice recovered after attainder, passed finally into the hands of strangers.²

¹ *Cal. State Papers, Domestic*, 167, 683. In another petition of the same year (*Cal. State Papers, Domestic*, 1663-64, 240) Sir Henry puts the sum of his disbursements for the king's account at £38,300.

² Prince says (*Worthies of Devon*, 185): "As for the house and manor of Cockington, that became the purchase of Mr. Mallack, a rich merchant of the City of Exon, whose son Rawlins Mallack, Esqr., sometime a justice of peace for this county, and a



COLONEL LUCIUS CARY
1839-1916
OF TOR ABBEY





In June, 1652, Sir Henry Cary's wife died and was buried at Cockington, leaving him with five children, the eldest, Grace, twelve years of age, and the youngest, Hastings, christened on May 12, 1652, and so doubtless the cause of his mother's death. The tradition is that after parting with Cockington, Sir Henry took his motherless children and left England. Prince says he "was forced to travel beyond seas into foreign countries," and suggests that it was into France and the Low Countries.¹ Wherever he went, Sir Henry soon returned to England and brought his children with him; when, we do not know. He had meanwhile married a second time, Mary Chichester, a niece of that lord deputy of Ireland who succeeded Sir George Cary. This lady was already twice a widow, but her third husband buried her with her first, in Marystow Church, in 1657.²

member of parliament, new builded the house, enclosed the park, wall'd round a warren and large gardens, fitted up the parts and made it as gentle and commodious a dwelling as most in this country." The Mallocks have remained seated at Cockington to this day. See Burke, *Landed Gentry*, 1914.

¹ *Worthies of Devon*, 184. Mr. Dymond records (*H. & G.*, viii, 85) the family tradition that Sir Henry went to Virginia, but as no evidence of him has been found in Virginia and it is probable that Colonel Nicholson would have known it and have mentioned him to LeNeve (see *post*, p. 657) if he had been there, we may conclude that Prince's story is true and that the family tradition is a confusion of Sir Henry with his younger brothers. (See *post*, p. 277.)

² See the M. I. in *H. & G.*, viii, 98. There is a portrait of this lady by Jansen in the family of her first husband, inscribed:

"Thrice happy Mary
Wise, Harris, Cary."



On the Restoration (1660) we find Sir Henry in London in great distress. He began at once to petition the king for relief, setting up his past services and disbursements to the king's use, but without avail for several years. Prince records a tradition that "he was obliged for his bread to the charity of well disposed gentlemen,"¹ a description not unwarranted by Sir Henry's own language in a petition to Charles II in August, 1663, that he then has "neither food, raiment nor lodging for his family" and "must perish by sickness and famine."²

The king responds to this pitiful appeal for relief with a "free gift" of £200, and a promise of £1000 additional "charged on some persons in Hertfordshire." Sir Henry never collected on this promise. At another time he petitioned for the farm of the excise in Norfolk, and not getting that asked the king to direct Sir William Courtenay of Powderham and others to report on the circumstances of the sale of Cockington, to the end that the purchase price might be ad-

¹ *Worthies of Devon*, 184. The policy of Charles II apparently was to secure the restoration of estates to those who, with unwavering loyalty, had forfeited their property in his father's cause, but to do little for those who, like Sir Henry Cary of Cockington, had accepted composition from the Commonwealth. Airy (*Charles II*, 1901) cites the extraordinary case of the Penderel family, which still subsists upon pensions Charles II granted them for personal services rendered in aiding his escape after Worcester.

² *Cal. State Papers, Domestic*, 1663-64, 240.



judged to be inadequate and the purchaser be required to pay more. Such a commission was issued, but what came of it does not appear. In the meanwhile, on February 10, 1663, Sir Henry had married his daughter Grace, now twenty-one, to one "Robert Busby of St. Bride's, London, gent., bachelor, aged about 25," and doubtless feeling on her departure the lack of any feminine care in his household, whatever that household was, in May, 1663, himself married a third wife, one Martha Andrews, describing himself as "of St. Giles-in-the-Fields, widower, age 46," and the lady as "spinster, age 30,"¹

We may hope that Sir Henry had some happiness in this last marriage, for he was evidently consuming his heart with hope deferred in respect of substantial relief from the king. He did not have much longer to wait for eternal relief. On October 4, 1665, he was buried in the cloister of Westminster Abbey.² Practically his line ended with him. His sons all

¹ Foster, *London Marriages*. Sir Henry was in fact fifty at the time of his third marriage. The *Visitation of Devon* (Vivian, 152), made in his infancy, certifies that he was "aet 7, 1620."

² Chester, *Westminster Burials*. The entries spell the name Carew, but there is no doubt of the identification because at the end of his life Sir Henry was living in the parish of St. Giles in the Fields, to which the Westminster register attributes the Sir Henry there buried, and in *Cal. State Papers*, Domestic, clvi, No. 53, and clxxix, No. 123, there are entries of provision made in 1666 for Martha, *widow* of Sir Henry Cary.



died young, some before, some after their father, and were buried in London.¹

Prince says that on the downfall of the Cockington family the younger brothers became soldiers of fortune and died "without issue beyond sea."

And so they scattered:

Some to the wars to try their fortunes there,
Some to discover Islands far away,
Some to the studious Universities.

THE EMIGRANTS

We can now confirm Prince's general statement as to some of the Cockington household, in connection with the West Indies and America.

In support of the application of Sir Henry Cary of Cockington for composition there was filed¹ a deposition by one of

¹ *The children of Sir Henry Cary.*

The children of Sir Henry Cary and Amy Bagge, his first wife, as recorded in the Cockington parish register (Dymond, *H. & G.*, viii, 100) were: (i) GRACE, baptized January 17, 1640; (ii) EDWARD, baptized June 9, 1642; (iii) HENRY, baptized September 26, 1643; (iv) RICHARD, baptized April 27, 1646; and (v) HASTINGS, baptized May 16, 1652. It seems probable that Hastings died an infant, his mother having certainly died in childbirth of him; at all events there is no further record of him. Edward was buried in the cloister of Westminster Abbey January 13, 1661, where his father was buried beside him October 4, 1665, and his brother Henry August 16, 1667. The last surviving son, Richard, administered August 1, 1669, on the estate of his mother, "D^{na} Amia Cary, vid. nup^r de Cockington in Com. Devon, defunct." (P.C.C. *Admon. Act Book*, 1669. There was a mistake in the description as *widow*, for the parish register of Cockington, as quoted by Dymond in *H. & G.*, viii, 101, shows her burial June 16, 1652.) He could not have done this if either of his older brothers was then alive. Finally, it being remembered that the only daughter, Grace,

his servants that on June 15, 1646, there were living with Sir Henry, at Cockington, his mother and the following named brothers and sisters: Robert, Edward, John, Theodore, George, Walter, James, Francis, Elizabeth, Bridget. The *Visitation of Devon* of 1620 gives the children living when that record was made as Henry, Robert, Edward, Francisca, Elizabeth, and John, the last named "aet 3 menses."² It follows that all the younger brothers and sisters who were living in 1646, viz., Theodore, George, Walter, James, and Bridget, were born after 1620; and this is confirmed by the entry of the matriculation of the oldest of them, Theodore, at Queen's College, Oxford, in 1642, when he gave his age as eighteen;³ and by the earliest entry of the family in the surviving parish register of Cockington,⁴ namely, for 1629, reading: "Bridgett Cary, the daughter of George Cary, Esq., and Eliza, his wife, was bap: the 20 of January." One of them must then have been born every year from 1624 to 1629. It seems clear that the Francis of the deposition of 1646 was intended for the daughter Francisca born 1617, who appears in the Visitation pedigree, and not a son Francis born 1628, as the misprint has heretofore led us to conjecture.⁵

had married, February 10, 1663, Robert Busby of St. Bride's, London (Chester, *Westminster Marriage Licenses*), we find the will of Richard Cary dated February 8, 1671, and proved March 19 following (P.C.C. *Duke*, 35), whereby he describes himself as "of the parish of St. Brides, London, Esquire," and leaves his entire estate to his "dear sister Grace Busby, wife of Robert Busby of said parish, woolen draper." This was apparently the extinction of Sir Henry Cary's name.

¹ *Royalist Composition Papers*, 1645, calendared in *H. & G.*, viii, 105.

² Vivian, 152.

³ Foster *Alumni Oxon.*

⁴ *H. & G.*, viii, 100.

⁵ *The Virginia Carys*, 141. Cf. *post*, p. 697.

No record has appeared for John or Walter, but as to the other younger sons we find:

v THEODORE, born in 1624 and educated at Oxford, must have gone out to Barbadoes in 1647 in the first Royalist exodus. This migration of Cavaliers to a comparatively small colony was of such a character that it immediately colored the population of the islands, fully justifying Clarendon's statement that "the principal Planters upon the Barbadoes had been officers in the King's army, or of manifest affection to him, and always looked upon as of his Party."¹ Theodore Cary was then doubtless involved, as much as an enthusiastic youngster might be, in all the plots and counterplots following the declaration of Barbadoes for Charles II and its ultimate submission to the Commonwealth: he was certainly there in 1655 when Cromwell's expedition conquered Jamaica from the Spaniards. At all events he thenceforth made his career in relation to Jamaica. Thus we find him there in 1661 in command of the ship *Frederick*, in 1664 negotiating with the Spaniards at San Domingo, and later appointed "judge admiral" of Jamaica. Meanwhile another Devon man, Thomas Modyford, had been a large figure at Barbadoes, was responsible for the surrender of that island to the Commonwealth, was protected after the Restoration by his kinship to Monck, Duke of Albemarle, and in 1664 became governor of Jamaica. In 1665 Modyford organized an expedition to raid the neighboring Dutch islands. The lieutenant-governor, Edward Morgan, was in charge and Theodore Cary went as second in command. They had several small schooners and a force of 319 fierce, undisciplined, and lawless bucanears. While

¹ Clarendon, *Life*, iii, 932; and *cf.* *Rebellion*, iii, 466. That excellent book by Davis, *Cavaliers and Roundheads of Barbadoes* (1887), fills in the details. Many Devon men settled in Barbadoes. Mr. Davis gives (p. 95), from parish registers and other local records, a long list of the surnames, including Cary.

landing on St. Eustatius under fire "the good old Colonel" Morgan, who seems to have been something of the figure and habit of life of Sir John Falstaff, died of the excitement and the heat, when the command devolved on Colonel Theodore Cary. He compelled the Dutch to capitulate St. Eustatius and the adjoining island of Saba, and planned to go on to the conquest of Curaçao, but his men, gorged with booty and liquor, refused to follow and he had to return to Jamaica. Modyford reported that his failure to take Curaçao was due to Cary's "too easy disposition," which, considering Modyford's own reputation, probably means that he was not bloodthirsty enough for the kind of service expected of him. He was succeeded by one who was never accused of gentleness, the notorious Henry Morgan, nephew of "the good old Colonel," who duly captured Curaçao, and became the terror of the Spanish Main. In 1667 Theodore Cary was "his Majesty's Advocate General" of Jamaica.¹ He had a grant of land in Jamaica and there married Dorothy Waite, but in the end "dyed without heys."² A correspondent of the *Gentleman's Magazine* (February, 1864) gave the remains of a mutilated and undated monumental inscription found at Spanishtown, Jamaica, on a stone bearing the Cary arms, which, restored, reads as follows:

Colonel Theodore [Cary] one of the sons of [George Cary of] Cockington House [Devo] nshire, brother to Sir Henry Cary, a Judge.

VI GEORGE, born 1625, testified after the Restoration³ that during the first civil war he "did faithfully serve the late King as Captain of horse under his brother Sir Henry Cary" and subsequently "suffered much in his estate for his Majesty's interests, but was largely instrumental in the restoration" while employed as a merchant. He may have

¹ *Cal. State Papers*, Colonial, *Am. & W. I.*, 1661-1668, *passim*.

² *Cal. State Papers*, *Am. & W. I.*, 1706-1708, No. 1046.

³ *Cal. State Papers*, Domestic, Car. II, xlviii, 49.

gone out to Barbadoes with his brother Theodore, but if so he had returned to England, for in 1660 he was "listed and now rides in ye squadron of the Hon^{ble} Sr Tho. Sandys under the command of Charles Lord Gerard, Capt. of his Maties Life Guard of Cavalry." Failing, like his brother Sir Henry, in the hope of reward, he apparently went, certainly now if not before, to Barbadoes and there joined the colony promoted by Thomas Modyford, which emigrated from that island in 1664 to establish the first plantation of the new Proprietors of Carolina, the short-lived colony of Clarendon on the Cape Fear River in what is now North Carolina.¹ Here in 1665 he was a member of the Assembly,² and here in June, 1666, as one of the "inhabitants of the County of Clarendon" he volunteered to accompany Colonel Robert Sandford, the resident secretary for the Proprietors, on that exploration of the territory of Carolina south of "Cape Romania," which resulted in the plantation of a new Charles Town in the country of Kiawah, which was the beginning of the present State of South Carolina. Colonel Sandford's interesting report³ of this expedition, which has fortunately survived, affords several silhouettes of Captain George Cary, who was his second in command. We see him armed with morion and matchlock leading a file of soldiers through the jasmine-decked forest glades and the tender green swamp lawns, since familiar to many generations of men; sitting solemnly on an elevated seat in the hut of an Indian cacique and then compromising his dignity by playing at hoodman-blind with the Indian children. Colonel Sandford records that one of the islands on which

¹ *Colonial Records of N. C.*, i, 42 ff.; Horne, *Brief Description of Carolina*, 1666, ed. Salley, in *Narratives of Early Carolina*, 1911.

² *Collections S. C. Historical Society*, v, 60; *Colonial Records of N. C.*, i, 149.

³ *Relation of a Voyage on the Coast of the Province of Carolina*, 1666, ed. Salley, in *Narratives of Early Carolina*, 1911.

they landed, lying between St. Helena and Port Royal sounds, now known as the Hunting Islands, "from Capt. Cary wee named Cary Island."¹ George Cary signed the certificate attesting Sandford's relation, and there his record ends. The Clarendon colony broke up in 1667, the inhabitants scattering to Virginia or returning to Barbadoes. As there is no record of George Cary in Virginia and none has appeared in South Carolina, where some of his Clarendon colleagues ultimately settled, it is probable that he lived out the remainder of his life in some one of the West India islands and died, as Prince says, "without issue."

VIII JAMES, born 1627, has left no earmark for identification. He may have been the contemporary James Cary, Virginia merchant in London, whom we have preferably identified as his kinsman of the Clovelly family.² If not the London merchant, he may have emigrated to Virginia and there left, without record of his own, a son and namesake, the still mysterious James Cary of Gloucester.³

The only one of the Cockington family of the generation of the "Troubles" who may be certainly identified as making a career at home, other than Sir Henry,⁴ is his next younger brother.

¹ Salley *u. s.*, 96; but for the identification of the island see also McCrady, *South Carolina under the Proprietary Government* (1901), 87.

² See *post*, p. 696.

³ See *The Virginia Carys*, 149.

⁴ It is possible, but not proved, that the third son Edward, born 1615, was the Edward Cary of the Middle Temple who was an examiner for, and later a member of, the Parliamentary Committee for Compounding with Royalist Delinquents (*Cal. Com. for Compounding*, etc., i, 215, and *passim*), the tribunal feared and hated by the Cavaliers under the familiar name of "Goldsmiths' Hall."



THIS DR. ROBERT CARY (1614-1688) matriculated at Exeter College, Oxford, October 4, 1631, at the age of sixteen, was chosen scholar of Corpus Christi in October, 1634, admitted bachelor of arts in 1635, and proceeded master in 1638: he was probably fellow of his college. In November, 1644, his kinsman William Seymour, Marquis of Hertford (the husband of the unfortunate Lady Arabella Stuart), having become chancellor of Oxford, procured for him a degree of "D.LL.," as he himself writes it,¹ and afterwards presented him to the comfortable rectory of Portlemouth, near Kingsbridge, Devon. Prince² says that after 1654 he went abroad with his brother Sir Henry; and on his return to Portlemouth was "won over by the Presbyterians and became moderator among them." In the circumstances of his family and the age in which Dr. Cary lived this conversion is human and comprehensible: many better men than he then made the same sacrifice to Mammon and convenience. We may even grant it to have been sincere, but it was not enduring in any event. Prince continues: "When the King and Church returned he was one of the first that congratulated their arrival,"—another Vicar of

See the contemporary songs in Professor Firth's note to his edition of *The Life of William Cavendish, Duke of Newcastle*, 1886, p. 297.

¹ On the title page of *Palæologia Chronica*. See also Wood, *Athen. Oxon.*, ii, 625.

² *Worthies of Devon*, 184.



Bray—whereupon he was preferred Archdeacon of Exeter, “out of which he was affrighted and ejected in a little while by some great men then in power.” This was in 1664. We can hardly reproach these “great men” and indignant Anglicans under the circumstances. Perhaps one of them was his kinsman George Cary of Clovelly, who then became dean of Exeter. Robert Cary returned to Portlemouth, where, during many serene years, he produced a monumental book. At the age of seventy-four he died, and on September 19, 1688, was buried in his own church, as an affidavit in the parish register says, “in woolen only.”¹

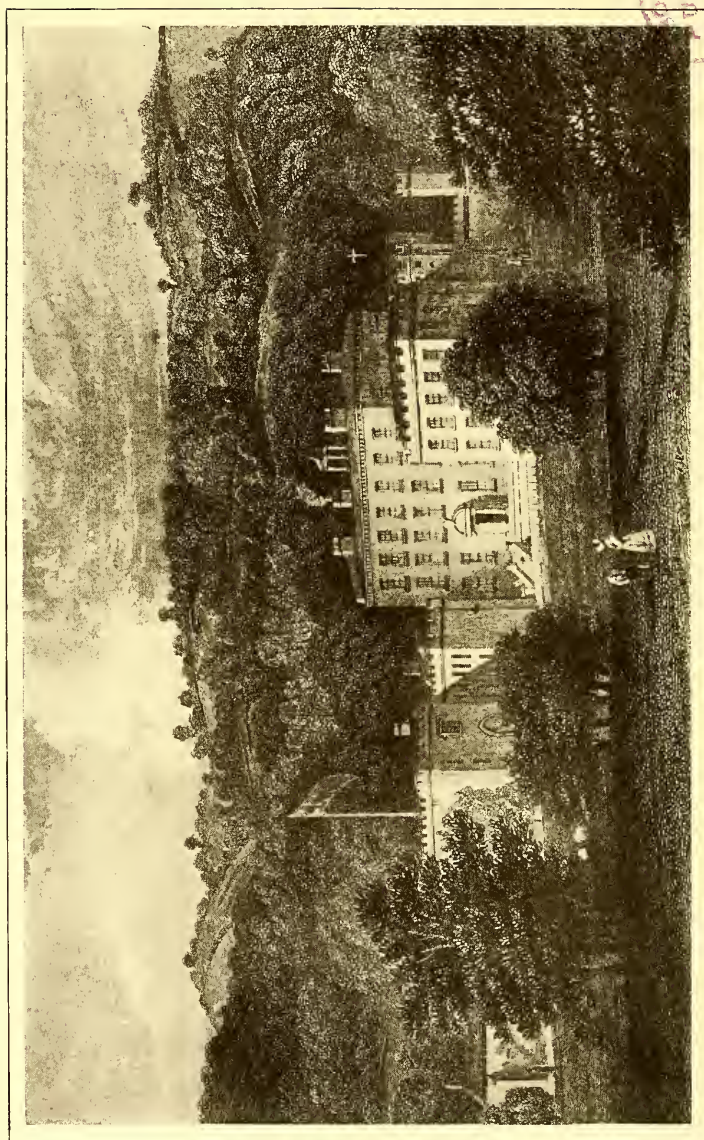
The result of his literary labors at Portlemouth was a curious work, of no little learning but of no enduring value, an attempt to settle ancient chronology, entitled “*Palæologia Chronica*, a chronological account of Antient Time, in three parts, I Didactical, II Apodeictical, III Canonical.” It was published at London, a heavy folio, in 1677, and deserves attention here as one of the two published books pro-

¹ *H. & G.*, viii, 101. A statute of Charles II required burials in woolen shrouds in order to stimulate the demand for woolen manufactures. Dr. Robert Cary had four sons and four daughters, all baptized at Cockington from 1642 to 1652. Of only one does any further information survive. The fourth son, Robert, matriculated at Queen's College, Oxford, in 1669, and was subsequently vicar of Gwennap, Cornwall, and of Sidbury, Devon, where he was buried in 1707. (*Pulman's MSS. penes Coll. Arm.*) He left a son James, who matriculated at University College, Oxford, in 1703, but there the record of the family ends.



duced by Cary of Devon.¹ Dr. Cary had also issued a pamphlet against Archbishop Usher and translated some of the church hymns into Latin, which he sought to induce his congregation to sing by printing them in fair large type on folio sheets.

¹ The other was the *Fruit de les Pleadings* by Richard Cary of the Inner Temple, 1601.



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CHAPTER THIRTEEN

THE JACOBITE HOUSEHOLD AT TOR ABBEY

In 1196, almost exactly the date given to that Adam who is the putative progenitor of the Devon Carys, another Adam left the Premonstratensian abbey of Welbeck in Nottinghamshire to become abbot of a new house of that order¹ which was then established on a delectable site on Tor Bay,² carved for that purpose out of

¹ Dugdale, *Monasticon* (1718), ii, 192; Oliver, *Monasticon Exoniensis* (1846), 169, where the charters are set forth. The Premonstratensian order had been founded by St. Norbert at Prémontré in France, and followed the *Rule of St. Augustine* but with greater austerity. Coming to England in the time of Stephen, they there maintained, in the middle of the sixteenth century, thirty-five small houses: among these Tor Abbey was accounted the richest, its annual revenue being estimated to be £396 *os* 11*d*.

Unless the Germans destroyed it, there is still in Belgium, in a park of gigantic linden trees near Aerschot, a great abbey of the Norbertine order called Tongerlo, where medieval state was maintained a few years ago.

² See Macaulay's rhetorical description of Tor Bay, *History*, ii, 445. Like Clovelly, Tor Abbey (and its neighbor Cockington Court) is well known to modern tourists. Also like Clovelly again, a fishing village here grew up beside a quay from which it took its name Torquay. This village has become a fashionable watering-place, ranked in terraces above the bay with hotels and villas. "It reminds one of Newport," says an American writer quoted by *Baedeker*, "in the luxuriousness of its foliage, the elas-

v

the Domesday manor of Tor, since known successively as Tor Brywere and Tor Mohun. It adjoined immediately on Cockington, which is named as a boundary in the charter. Tor¹ Abbey was one of the pious foundations (as his arms carved on a surviving gate-house still testify) of a supple politician, William Brewer, who flourished under four kings, was one of the lord justices left by Richard I to govern England during his absence on crusade, and an outspoken contemner of Magna Carta.

The canons of Tor Abbey did not live secluded in mysticism or even in luxury, but were hardworking and businesslike parsons. In Devon as elsewhere their order was respected not only for their diligence in parochial duties, supplying distant as well as nearby parishes, but as traders: at Tor Abbey they were enrolled as members of the merchants' gild at Totnes. Their domestic life was not always peaceful, however. In 1390 the Abbot William Norton was an autocrat and was charged with actually beheading one of his canons for some petty offense. Although Dr. Oliver has demonstrated

ticity of its lawns and the masses of its flowers." The exuberant fertility of its soil is due partly to a protected position and partly to the decaying red sandstone.

¹ The name is spelled on the two seals of the abbey, as depicted by Dr. Oliver, progressively *Tore* and *Torre*, but appears also as *Thor* and *Thorre* in charters. The Carys perpetuate the antique spelling, *Torre*. We have followed Dr. Oliver's simpler usage, which has been generally accepted, as in Tor Bay and Torquay.



that Bishop Brantyngham tried the charge and acquitted the abbot when Canon Simon Hastings was produced with as much head as he had ever had, Simon Hastings' ghost has never accepted this judgment, but, clad in the white robe of his order, is still heard, and sometimes seen, galloping a spectre horse through the avenues of the abbey on stormy November nights.¹

In 1537, on the suppression of the smaller monasteries, Tor Abbey surrendered to Henry VIII.² Its property was then granted to John St. Leger, and during the ensuing century and a quarter passed through the hands of Pollards, Seymours, Parkhursts, and Ridgeways,³ until at the time of the civil war it was vested in John Stowell of Parke in Bovey Tracy. From Stowell Tor Abbey was purchased on December 29, 1662,⁴ by Sir George Cary (1611-1678) of the Cockington family, and has ever since been held by his descendants. Long used as a private residence, and much dilapidated in the process, not much more than its name remains to testify for the conventual establishment, but that little is

¹ Worth, *A History of Devonshire*, 1886. See also Hilderic Friend, *Bygone Devonshire*, 1898.

² See Cardinal Gasquet, *Henry VIII and the English Monasteries*, and the map and lists of the suppressed monasteries in Gairdner, *The English Church in the Sixteenth Century*.

³ Sir Thomas Ridgeway (1565-1631), who was vice-treasurer in Ireland under Sir George Cary, subsequently succeeded him as treasurer and eventually was created Earl of Londonderry, was born at Tor Abbey and is buried at Tor Mohun Church.

⁴ *Cal. Tor Abbey Mun., H. & G.*, viii, 123.

interesting both actually and archeologically. Dr. Oliver¹ has described the site as he saw it in 1846:

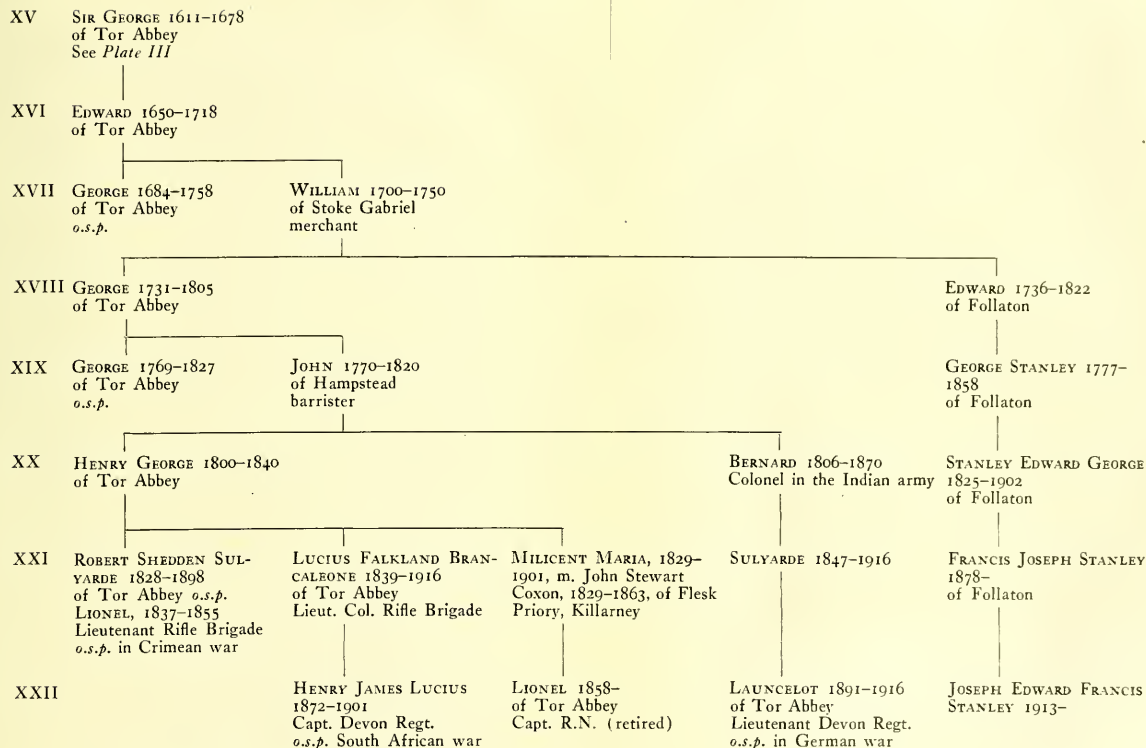
Even now when the spreading streets and villas of a flourishing town are daily making fresh inroads on the natural beauties of the spot, the charming scenery and situation of the abbatial demesne can hardly be surpassed. . . . The roofless chapter house, the prostrate masses of the central church tower, the refectory² converted into a chapel in 1779, and the stately grange, are still interesting. . . . The ancient churchyard has made way for an orchard and garden. In front of the mansion was a large fish pond specially referred to in more than one of the original charters of donation. It was contiguous to the mill garden and was filled up after the fall of the gateway with the ruins of the church cloisters and other materials. From an attentive examination of the ground plan we may presume to infer that the choir of the abbey church was seventy-two feet long by thirty in breadth; that the transept was ninety-six feet wide, and that the entire length of the fabric, including the Lady's Chapel, measured about two hundred feet. Upon digging on the spot in May 1825 much tessellated pavement was found, with a stone coffin and human bones. Many benefactors chose the abbey for their place of interment.

SIR EDWARD CARY (1575-1654), called at the end of his life "of Marldon," was the second

¹ *Monasticon Exoniensis*. Leland (*Itinerary*, ed. Hearne, iii, 41) also visited and described Tor Abbey, in 1538.

² Mr. Hugh R. Watkin, author of *A Short Description of Torre Abbey*, points out that as no refectory in a monastery ever found place other than on the reverse side of the church, the position of the present chapel, on the west side of the Abbey garth, indicates that it was originally the guest hall.

PLATE IV
CARY OF TOR ABBEY AND FOLLATON





LIEUTENANT LAUNCELOT CARY
1891-1916
OF TOR ABBEY







son of John Cary "of Dudley."¹ He accompanied his uncle Sir George of Cockington to Ireland as his secretary. His son subsequently testified² that he was there put in possession of an estate for years at Dungarvon, a warrant for which the king had granted Sir George Cary. The Deputy acknowledged this favor to Cecil on September 2, 1603,³ saying that his purpose was to bestow it upon "a poor kinsman of my own name that intends to live in the Country to serve his Majesty." Edward Cary was thenceforth known as "of Dungarvon" until, after his father's death in 1622, he is described as "of Bradford" in Devon. Later he changes his style to "of Stantor," after the ancient barton of that name adjoining, and now incorporated in, Cockington; and finally he appears "of Marldon." These designations seem to indicate his peregrinations and his fortunes. He married Margaret Blackhurst, of co. Lancaster, and died in his eightieth year on June 14, 1654, being followed to his grave in Marldon Church by his wife, two days later. Early in 1628 he had been knighted in Ireland by his kinsman the Lord Falkland, then lord deputy.

¹ See *ante*, p. 261. Mr. Dymond (*H. & G.*, viii, 81) and Colonel Vivian (1884, pp. 152-153) are the genealogical authorities for the Tor Abbey and Follaton families, as they are for their forebears at Cockington.

² See his deposition quoted in *H. & G.*, viii, 124.

³ *Cal. State Papers, Ireland* (1603-1606), 78.



Sir Edward Cary adhered to the old religion and died a Roman Catholic, as his descendants have been ever since. In 1646 his estate was sequestered for recusancy, and he suffered no little in consequence, dying in debt.¹ His M. I., which may still be read in Marldon Church,² is an excellent example of the rare combination of good sentiment and good taste in a long Latin epitaph. He left a will³ dated June 14, proved September 26, 1654, which names the two sons⁴ attributed to him by the Visitation of Devon of 1620. His eldest son,

SIR GEORGE CARY (1611-1678), the purchaser of Tor Abbey, was a great-nephew of his namesake the Lord Deputy and is mentioned in the will of that worthy as the legatee of a "deepe washinge basin of silver parcel gilt"; but he must have had other attractions, for he married three wives. By the first, of the fervent Catholic stock of the Manners, a niece of Francis Manners, sixth Earl Rutland (1578-1632), of Belvoir Castle, he achieved the estate of New-

¹ See *Cal. Com. for Compounding*, etc., iv, 2987, and the detailed account of his sacrifices for his faith in Welles, *American Family Antiquity*, i, 90.

² *H. & G.*, viii, 98.

³ *P.C.C. Allchin*, 34.

⁴ *Sir Edward Cary's younger son*. There are glimpses of this Thomas Cary, known as "of Stantor," in 1654, after his father's death, in the *Royalist Composition Papers* (*H. & G.*, vii, 105). Mr. Dymond suggests that he left sons and grandsons, but Colonel Vivian was apparently unable to prove them.



parke in Hampshire, where he lived until after the Restoration. Meanwhile, he testifies, by the "importunities" of his wife's uncle he was on July 3, 1632, "by King Charles the First Knighted at Greenwich, not alike against his inclinations."¹ He and his descendants repaid this last nobiliary decoration of their line by a steady loyalty to the Stuart family throughout the remainder of their history. When the civil wars came George Cary himself was "out" in arms and served as one of the commissioners to treat with Fairfax for the surrender of Exeter in March, 1646.² After his father's death in June, 1654, he mortgaged his property to pay the debts incurred both by himself and his father on behalf of the lost cause, and in the December following his estate was sequestered on the ground of his recusancy, betrayed by the oath of a kinsman.³

Sir George Cary died at Tor Abbey and was buried in Tor Mohun Church.⁴ By means of

¹ *H. & G.*, vii, 124. See also Metcalfe, *Book of Knights*.

² Dymond, *H. & G.*, viii, 87.

³ This was an Edward Cary who, in the performance of his Judas act, in 1654 styled himself (*H. & G.*, viii, 105) "of Marlton, co. Devon, aet. 29." He has not been certainly identified; as he was born in 1625 he could not have been that brother of Sir Henry of Cockington who was born in 1615, nor does the character of the evidence for him admit of his being the son of John of Long Melford, who was a Jesuit. It seems probable that he was an otherwise unrecorded grandson of Edward of Bradford. (See *ante*, p. 192.)

⁴ *H. & G.*, vii, 105, 111, 123 and 98.



his persistent and prudent marriages he had in 1657 redeemed his property, and so re-established his fortunes as to leave an estate which has ever since maintained the ancient dignity of his race.

Tor Abbey has thus been the principal seat of Cary of Devon since the failure of the Clovelly line. At all times it has harbored a resolutely Jacobite household. Unlike their kinsmen at Clovelly, unlike the Falklands, who with the majority of the nation expediently accepted the inevitable, these Carys at Tor Abbey remained steadfast in their political and religious principles. In one as in the other they were consistently and proudly "recusant." So long as there was a Jacobite party to which they could adhere, they were for the Stuart dynasty and all its works.

In religion they are still of the faith of their pre-Reformation fathers: in 1779, when it was safe to do so,¹ one of the succession of squires

¹ Under Sir George Savile's Catholic Relief Act of 1778, which, it will be remembered, fomented the Gordon riots of 1780 and brought about the destruction of Savile's own house in London. While the old anti-Catholic penal laws had not been generally enforced during the eighteenth century, prior to the Savile act "the position of Catholics and especially of Catholic landowners was always one of extreme precariousness. They were still subject to a double land tax. They were at the mercy of their Protestant relatives, who might easily deprive them of their land; at the mercy of common informers; at the mercy of any two justices who might at any time tender to them the oath of supremacy. They were virtual outlaws in their own country, doomed to a life of secrecy and retirement, and sometimes obliged to purchase



converted the ancient guest hall of the Norbertine canons into a Catholic chapel, and there the lamp of the old Church has since been kept openly burning.

We have two fugitive glimpses of the Tor Abbey Carys in these rôles on the page of history. Ten years after Sir George Cary was dead, his widow¹ witnessed with undisguised disappointment the landing of William of Orange on the shore of Tor Bay over against Tor Abbey. On November 7, 1688, the prince despatched an officer with some troops to search her house for arms and to requisition horses, as was done of all Roman Catholics in the neighborhood, while he himself led forward his motley army to night quarters near Newton Abbot, where he was en-

by regular contributions an exemption from prosecution." (Lecky, *History*, iii, 503.) In 1781 the Catholics counted in all England a total of not exceeding 70,000 of their faith, including less than 200 gentlemen of landed property. It was not until 1829 that the Emancipation Act opened the door of opportunity to them. Now, after less than a century of civil rights, it is estimated that there are as many Catholics in England as there were in the time of Queen Elizabeth, and the number is fed by a steady stream of converts.

¹ She was Elizabeth, daughter of Thomas Wells, of Brambridge, near Winchester. She inherited her steadfast courage from her ancestor Swithun Wells, who, in 1591, was martyred for his faith by Richard Topcliffe, the Elizabethan "arch priest-catcher" (as Bishop Challoner calls him), in front of his own house in Gray's Inn Fields. After witnessing the butchery of a young priest, Edmund Genninges, taken with him, Mr. Wells said, "Despatch, Mr. Topcliffe, despatch: are you not ashamed to suffer an old man to stand here so long in his shirt in the cold? I pray God make you of a Saul a Paul, of a persecutor a professor." See Challoner, *Memoirs of Missionary Priests*, 1844 ed., pp. 137, 142, 217, and *Dict. Nat. Biog.*, vii, 998.



tertained at Ford House, then, as now, belonging to the Courtenays. One who was present thus relates what took place at Tor Abbey:¹

Nor shall it be forgotten what was faithfully acted at this lady's house immediately on our arrival in Tor Bay. There was a priest, and some others with him, upon a watch tower to discover what our fleet was, whether French or Dutch. At last they discovered the white flag on some of our men-of-war: the ignorant priest concluded absolutely that we were a French fleet, which with great impatience they had so long expected: and, having laid up great provisions for their entertainment, the priest ordered all to the chapel to sing *Te Deum* for the arrival of their supposed forces; but being soon undeceived on our landing, we found the benefit of their provisions, and instead of *vostre servitude Monsieur*, they were entertained with *yeen, mynheer, can you Dutch spraken*: upon which they all run away from the house but the lady and a few old servants.

Sir George Cary was succeeded at Tor Abbey by his son EDWARD CARY (1650-1718), the "Heirmale and Principal Branch" who certified to the Heralds' College in 1699 that the Bristol Carys were his kinsmen.²

¹ *The expedition of the Prince of Orange for England, 1680, Harleian Miscellanies*, ix, 215.

² The tradition of kinship which was thus acknowledged in 1699 has been pleasantly maintained between the Tor Abbey family and the Virginia descendants of the Bristol Carys. The tie was strengthened by the marriage in 1827 of Henry George Cary, of Tor Abbey, to a daughter of Robert Shedden, of Brooklands, Hants, who represented two strains of Virginia blood, her grandfather Robert Shedden and her grandmother Agatha Wells Goodrich having married at Norfolk in that colony, where Robert Shedden and his wife's father, John Goodrich, fourth of his name in Virginia, were

He maintained the Jacobite politics of his family and was involved in the attempt of the old Pretender to win his crown in "the Fifteen." The plot was to raise the west of England and Scotland at the same time. In October the Duke of Ormonde sailed from the coast of Normandy to that of Devonshire, with a few officers and troopers, expecting to find the Chevalier's partizans in arms; but he was betrayed, the English government took vigorous measures, and there was no rising in the west. Ormonde was compelled to return to France, and the Pretender, who had planned to land in Devon, then sailed away to Scotland.¹ While off Tor Bay, Ormonde sent a message to the Carys of Tor Abbey assuring them "on behalf of his royal

in business as merchants before the American Revolution. Both families were Loyalist, and driven from Virginia, then returned to England. (See *Va. Mag.*, xv, 160; and Sabine, *Loyalists of the American Revolution*, i, 481; ii, 294.) The acquaintance of the Goodriches with the Carys in Virginia assured Mrs. Jefferson Coolidge of Boston, a great granddaughter of Colonel Archibald Cary of Ampthill, a cordial welcome at Tor Abbey, as she testified in a letter describing her visit in 1845. Then again, "the relationship, however distant," was cordially acknowledged. Once more, when Mrs. Burton Harrison (Constance Cary) published her *Recollections Grave and Gay* in 1911, she received a letter from Commander Lionel Coxon, R. N., who has since changed his name to Cary, and is now the Squire of Tor Abbey, saying: "Whilst serving as a Lieutenant in H. M. S. *Foam* at Halifax in 1882 my grandmother Cary sent me a five-pound note to enable me to visit my cousins in Virginia. Although the sum seemed hardly sufficient, I shall always regret that I didn't somehow manage it." These recent incidents may serve as evidence of the continuity of that "constant tradition in their family," to which the Bristol family made reference at the end of the seventeenth century.

¹ Mahon, *History of England*, i, 144.

master, the Chevalier, of that prince's recognition of their great services to his ancestor, and of his wish to grant them high honours and honorable indemnification, in pledge of which he had sent them his father, King James II's, picture with that of his mother the queen, enclosed in a silver box." ¹

The others following in the Tor Abbey line are indicated in the accompanying pedigree. From them sprang a branch, now known as Stanley-Cary, which since 1788 has been seated at Follaton near Totnes.

Being, by reason of their religion, until comparatively recently, without opportunity to prove their mettle in affairs of state, these Carys maintained their ancient dignity as simple country gentlemen. Marrying their equals in blood, breeding, and fortune, their annals were largely domestic. But in recent generations they have been professional soldiers and sailors who have proudly upheld the honor of their race in the field, some in foreign service.² One

¹ Family tradition transcribed in *W. M. Cary Notes*. The silver box with the portraits was sent, at the time of Napoleon's expected invasion, to Follaton for safe-keeping, but was at last, about 1910, returned to Tor Abbey. This interesting souvenir may have been one of the collection of Stuart miniatures which James II took with him to France and lodged with Louis XIV for safe-keeping. Most of the collection were returned to England by the French government in 1801, when Earl Spencer presented them to the Rev. E. J. Edwards as a reward for diplomatic services. (See Williamson, *History of Portrait Miniatures*, i, 31.)

² The excitement in Virginia in 1843 about the "Cary Rents" (see *The Virginia Carys*, 1919) greatly disturbed one of these Tor



of them, reviving the old function of the Chief Baron and the Lord Deputy, commanded the volunteers who were organized on that part of the south coast in May, 1803, in preparation for the expected invasion of England by Napoleon. More recently they have given their lives for their country in the Crimean, South African, and German wars.¹ The present squire is a captain of the Royal Navy, retired.²

Abbey Carys, then in the Austrian service. Dr. Mann Page of Albemarle, a grandson of Colonel Archibald Cary of Ampthill, wrote to his kinsman, Mr. Francis R. Rives, then secretary of legation in London to find out for him whether there was any substance to the Virginia rumor of a Cary estate in England looking for an owner. Mr. Rives promptly punctured the bubble. In collecting his facts he made enquiry of the Carys of Follaton and Tor Abbey, whereby the rumor reached Colonel John Cary in Vienna, who, much excited, in turn wrote to Dr. Page for more information, and doubtless in due course suffered a sore disappointment. The entertaining correspondence is published in Page, *Genealogy of the Page Family of Virginia* (1893), 121.

¹ Launcelot R. S. Cary (1891-1916), who was killed in action, a Lieutenant of the Devon Regiment, at the battle of the Somme, was the last squire of Tor Abbey born a Cary. It is a coincidence that the eldest line of Cary of Cary failed in 1610 also with a Launcelot.

² See Walford, *County Families*, 1918.

PART TWO



CARY IN THE PEERAGE

"As [Stuckius] said of that great river Danubius, it riseth from a small fountain, a little brook at first, sometimes broad, sometimes narrow, now slow, then swift, increased at last to an incredible greatness by the confluence of 60 navigable rivers, it vanisheth in conclusion, loseth its name, and is suddenly swallowed up of the Euxine sea: I may say of our greatest families, they were mean at first, augmented by rich marriages, purchases, offices: they continued for some ages, with some little alteration of circumstances, fortunes, places, &c until, by some prodigal son, for some default, or for want of issue, they are defaced in an instant, and their memory blotted out."

The Anatomy of Melancholy, ii, 19.

"I have laboured to make a covenant with myself that affection may not press upon judgment: for I suppose there is no man that hath any apprehension of gentry or nobleness but his affection stands to the continuance of so noble a name and house, and would take hold of a twig or a twine thread to uphold it. And yet Time hath his revolutions: there must be a period and an end of all temporal things—*finis rerum*—an end of names and of dignities, and whatsoever is terrene: and why not of De Vere? For where is Bohun? Where is Mowbray? Where is Mortimer? Nay which is more and most of all, where is Plantagenet? They are entombed in the urns and sepultures of mortality."—RANULPHE CREWE (1625) in *Sir William Jones Reports*, 101.



CHAPTER FOURTEEN

A LACKLAND CADET

As Cary of Devon never produced an intellectual genius, nor a national hero, nor a benefactor of mankind, so, to apply another and peculiarly English measure of human achievement, Cary of Devon never attained the peerage. The solid distinction of this family is that for more than seven hundred years it has lived and has made its persistent career as part of the local governing class of a single sitfast and strongly characteristic community.

In contrast with his Devon stock the cadet who transmitted his name into the peerage is typically modern. By force of circumstances, if not by native inclination, he broke an old tradition, and began a new one. Viewed across the ages he typified his progeny: they have risen high and fallen low and risen again, but when the story is told they no longer are rooted in the soil.

It has been shown that Sir William Cary, of the tenth generation, "the Liegeman of the Red



Rose" who was beheaded at Tewkesbury in 1471, left a son by each of his two marriages. The elder, son of his first wife Elizabeth Paulet, was Master Robert Cary of Clovelly, the Compostela pilgrim, the prosperous squire. The younger, son of his second wife Alice Fulford, was the disinherited cadet, to whom we now come.

THOMAS CARY (1460?-1548?)¹ is called in the Visitation pedigrees "of Chilton Foliot," a magniloquent exaggeration, characteristic of heralds, which was intended as complaisance to high-placed descendants. The description had its origin in a mere place of residence (as who should say to-day "of London"), not in any feudal lordship, or even in a "farm" from the crown.²

He grew up under the shadow of the failure

¹ We have no more evidence for the date of Thomas Cary's death than of his birth. It is inference in both cases. For his birth we have the date of his mother's marriage. As his second son was in possession of his copyhold at Chilton Foliot in 1548 and says in his will that he inherited it, Thomas Cary may be assumed to be dead before that date, for he would then be at least eighty-eight years of age.

² Chilton Foliot, co. Wilts, was a manor in dower of the queen of England, *temp.* Henry VIII and Edward VI. From a survey taken on behalf of Queen Catherine Parr, December 17, 1548, it appears that Sir Edward Darell had been the "farmer" of the manor since 1546, and that among the copyholds in the manor was one known as Sowley, then held by Sir John Cary "of Plashy." It is described as a house containing "hawle and ketchinge, 2 chambers and a stable." (*H. & G.*, iii, 145.) Such was Thomas Cary's seat, to which his son had succeeded, and such the modest origin of the heralds' high-sounding brand "of Chilton Foliot."



of the Lancastrian cause, one might almost say under the headsman's sword. His father, his maternal grandfather, and the uncle after whom he was named,¹ all suffered on the block for their adherence to the cause of Henry VI. His boyhood was probably spent with his mother's people, for, as we have seen, the bulk of his father's property had passed into the hands of strangers on the attainder in 1465. After the debacle at Tewkesbury, when Thomas Cary was about eleven years of age, his widowed mother married again one John Anthony, with whom she survived until after 1488.²

By the time the boy had grown to manhood Henry VII had ousted the House of York (1485), and the Lancastrian families generally recovered some portion, if not all, of their estates. We have seen that the Compostela pilgrim promptly petitioned for such relief as heir of his father. Through the interest of the Fulfords his half-brother Thomas Cary may meanwhile have been put in possession of some portion

¹ Sir Thomas Fulford, son of Sir Baldwin and a witness with him to Sir William Cary's marriage settlement in 1458, was, by Edward IV, restored to the Fulford estates after his father's execution and attainder, but in 1471 himself gave aid to Queen Margaret, was attainted and executed, probably before Tewkesbury. See the notes on *The Bristowe Tragedie* in Milles edition of *Roxley's Poems*, 1782.

² It was in 1488 that Alice Fulford, then the wife of John Anthony, sued Robert Cary, the Compostela pilgrim, for dower in Clovelly. (See *The Genealogist*, xxiii, 28.)



of their father's inheritance; at all events there is record of a suit in 1493 by Robert Cary to recover from Thomas Cary certain of the family lands, including the manor of Cary.¹ Robert Cary's claim as heir undoubtedly prevailed; at all events, in his deed of settlement of 1535 he disposed of some of the lands for which he had sued his half-brother.

Whatever may have been the subsequent relations of the brothers, we find no further record of Thomas Cary in respect of the family properties in Devon. He began his life anew. He married, probably before 1487, a lady endowed with the blood of Plantagenet, if with little else beside, and in so doing assured the fortunes of his descendants for two centuries. Eleanor

¹ Two old parchments inscribed in crabbed and much abbreviated law Latin still survive to reveal this story of family jealousy and heart-burning. When after the death of his first wife, Elizabeth Paulet, Sir William Cary married Alice Fulford, he attempted to provide for the children of Alice out of his estates. Accordingly, he invited his two fathers-in-law, Sir William Paulet and the doughty Sir Baldwin Fulford, to meet at Cary on November 20, 37 Hen. VI (1458), and then called upon Sir William Paulet, the feoffee of his lands, to transfer the manor of Cary and other property for the benefit of Alice Fulford's children. Sir Baldwin Fulford saw to it that this was done and witnessed the indenture, which may still be deciphered among the Tor Abbey muniments. (See *H. & G.*, vi, 16.) The Paulets bided their time. When in 1485 Henry VII restored the forfeited estates of Sir William Cary it is apparent that Thomas Cary, the son of Alice Fulford, had invoked the enfeoffment of 1458 and secured possession of the manor of Cary and others of the Cary properties in the neighborhood. At the same time, as we have seen, Alice Fulford, now the wife of John Anthony, claimed dower in Clovelly. Whereupon the old jealousy of the Paulets flamed, and Robert Cary, the son of Sir William by his Paulet wife, was put forward in 1492 to



CAPTAIN LIONEL CARY, R.N.
1858-
OF TOR ABBEY





Beaufort, daughter of the second Duke of Somerset (he who plucked the red rose in the Temple Garden), and so a descendant of John of Gaunt and Edward III, had while still a child become the third wife of the Lancastrian James Butler, fifth Earl of Ormonde in Ireland and Earl of Wiltshire in England, and was left a youthful and childless widow when he was beheaded after Towton field in 1461. In the ruin of her own house which soon followed she solaced herself by marriage to a simple Devon gentleman, Sir Robert Spencer of the family long seated at Spencercombe near Crediton. It was Margaret Spencer, one of the two daughters of this marriage, who became Thomas Cary's wife.¹

sue Thomas Cary for recovery of the property he had acquired. The ground of his claim was that, despite the enfeoffment of 1458, Robert as the eldest son and heir had an indefeasible prior claim under the entail created by the Chief Baron's father a century earlier; and such proved to be the law of the case. See *Cary v. Cary* in the Placita de Banco, Michaelmas term, 7 Henry VII, cited in *The Genealogist* (1907), xxiv, 106.

¹ There is almost contemporary evidence of this marriage, from which the present-day Falklands derive a dilution of Plantagenet blood, in a "Pedigree showing the relationship between many of the nobility and gentry and the blood royal, compiled about the year 1505," which exists in *Harleian MS.* 1074, fols. 289, 297b, and was reproduced in J. G. Nichols' *Collectanea Topographica et Genealogica* (1834), i, 308. Here it is shown that Margaret Spencer, daughter of Sir Robert Spencer and Alianor Beaufort, Countess of Wiltshire, married "*Sir Oswald Cary of the West Country*," giving as the issue the names of Thomas Cary's four eldest children. The Visitation of Devon of 1620 (Vivian, 150) gives the bridegroom's name correctly, and calls the bride "*Elienor, da. & hey. of Sr. Robt. Spencer.*" Neither



If some unbidden and unwelcome guest, with a taste for the supernatural and an appetite for recalling unpleasant facts, had been present at the wedding of Thomas Cary and Margaret Spencer, as such guests often were present at weddings in the old ballads, she might have called the attention of the bride and groom, as they passed out of the church door, to a company of grisly, headless ghosts arrayed by the lych gate—seven of their immediate ancestors: four Beauforts, two Fulfords, and a Cary, not to speak of the victims of the White Rose among the Courtenay kin or of Elianor Beaufort's first husband.

Thomas Cary is henceforth a dim figure. Practically all we know of him is that he left Devon forever and lived out his life, in a time which bore hard on the minor gentry, on lands of his wife's inheritance, scraps of narrow and scattered acres.¹

Pole (*Collections*, 227) nor Polwhele (*Devonshire*, ii, 91) mentions this Sir Robert Spencer in their notices of Spencercombe in Devon, but Westcote (*Vieu*, 509) says definitely, "The last heir male of the house of the Spencers, Sir Robert Spencer, married Elianor, dau. (eldest) to Edmund Beaufort Duke of Somerset. By her he had 2 coheirs. The eldest, Katherine, m. Henry, Lord Percy, 5th Earl of Northumberland. Margaret, the 2nd, was wief to Thomas Cary of Chilton Foliot, 2nd son to Sir William Cary of Cockington, Knt., by a dau. of Sir Baldwine Fulford." For the Percy marriage see *Collins Peerage* (ed. Brydges), ii, 307.

¹ These lands are described in the will of Thomas Cary's second son (*H. & G.*, iii, 51) as "lying in the countyes of Som'set, Wilts and Dorset, whiche descended to me by inheritance aft' the dethe of Thom's Cary, my father." We may judge their value by the description we have had of the principal residence at Chilton Foliot.



Thus there is a surviving paper in the Public Record Office¹ evidencing the receipt on 3 June, 2 Hen. VII (1487), by "R. Spenser, Kt. and Elianor countess of Wiltshire" of certain rents paid them by Thomas Earl of Ormonde (her first husband's youngest brother, who had been restored in blood by Henry VII's first Parliament and so assumed the Irish peerage as seventh earl) and Thomas Cary (her son-in-law) with others of the family connection. It is clear that for all his wife's high birth and noble re-

Thomas Cary lived in the days of prosperous agriculture for the yeoman but not for the small landlord such as he was, the days which preceded the dissolution of the monasteries and the conversion of arable land into sheep walks, upon which his sons and the landed gentry generally prospered in the next generation. We have vivid pictures of rural England at this time in Sir Thomas More's *Utopia*, and in detail in Hugh Latimer's first sermon preached before Edward VI (*Sermons*, Everyman's ed., 85): "My father was a yeoman [in Leicestershire] and had no lands of his own, only he had a farm of three or four pound by year at uttermost [say 160 acres arable, with communal rights of pasture] and hereupon he tilled so much as kept half a dozen men. He had walk for a hundred sheep: and my mother milked thirty kine. He was able, and did find the King a harness, with himself and his horse, while he came to the place that he should receive the King's wages. I can remember that I buckled his harness when he went unto Blackheath field [Henry VII's defeat of the Cornish rebels in 1497]. He kept me to school, or else I had not been able to have preached before the King's majesty now. He married my sisters with five pound, or twenty nobles apiece: so that he brought them up in godliness and fear of God. He kept hospitality for his poor neighbors and some alms he gave to the poor. And all this he did on the said farm." There is many a gentleman in England at the beginning of the twentieth century who sees the prosperity of his tenant farmers and himself feels only the burden of taxation, who can sympathize with Thomas Cary's position.

¹ *Descriptive Catalogue of Ancient Deeds*, Rolls Series, vi, 119.

lations and his own comfortable kindred, Thomas Cary reared his boys¹ in narrow circumstances: certainly it was indigence when compared with the opulence of his brother the Compostela pilgrim as reflected in his resplendent tomb. Thomas Cary may with difficulty have kept the embers of his gentry glowing, but he did so nevertheless, however low his fortunes fell. The symbol of this fact appears in the will of his second son, the bequest to *his* eldest son of "myn olde sygnet of golde with the swan, *whiche was my father's*." Like the ugly duckling in the barnyard in Hans Andersen's story, Thomas Cary carried with him, through adversity, in the crest engraved on this ring, the reminder that he was born a gentleman, and with that reminder the hope that he might emerge from drab feathers into the glorious plumage of the

¹ *The children of Thomas Cary "of Chilton Foliot."* The contemporary pedigree of 1505 (*Harleian MS.* 1074) gives them as Anne, Edward, John, and Eleanor. The Visitation pedigrees, made more than a century later, are confused: they give them as Sir John of Plashy, Mary, m. Sir John Delaval of Northumberland (doubtless by arrangement of her aunt the Countess of Northumberland), Margaret and Anne, and two Williams. From this it would appear that William, who married Mary Boleyn, and Mary Delaval were the youngest children, born after the record was made for the pedigree of 1505, and that the Edward of the pedigree of 1505 was later forgotten and confused as another William. Mr. Robinson shows by the parish register (*H. & G.*, iii, 34, 44) that one "Edward Cary de London" was buried at Aldenham in 1567, more than twenty years before Aldenham was acquired by Sir Edward Cary, the father of the first Falkland. It seems evident that he was the Edward of the pedigree of 1505, who became a London merchant and is ignored by the subsequent Visitations because he left no issue. The Eleanor of the pedigree



swan. The hope was realized in his descendants and began with the thrifty marriages, during their father's lifetime and so perhaps by his instigation, of two of Thomas Cary's sons.

During the ninety years which mark the reigns of Elizabeth, James I, and Charles I, Thomas Cary's descendants made their name conspicuous: they won then wealth and rank and wore their glittering badges bravely and picturesquely in the public eye. It must be recognized that, to use words of modern cant, they mounted the ladder more by "special privilege" than by "service": they flourished and bloomed and withered according as they experienced the sunshine of court favor or its withdrawal. If we were writing a story of "uplift" we might here call attention to the fact that several of them were guilty of acts which were mean, if they were not actually discreditable: we cannot forget, however, that if we have more evidences of human weakness among them than among their kinsmen in Devon, in Bristol, or in

of 1505, who is ignored altogether by the Visitation pedigrees and by Mr. Robinson (*H. & G.*, iii, 39), was an historical character, and an unsavory one. She was the "Dame Elinor Care," nun of Wilton, whose brothers, William and John, with the aid of Anne Boleyn, sought to have elected abbess in 1528, when Wolsey, for quite sufficient reasons, would not assent, and in consequence experienced the king's displeasure. Dame Elinor's "elder sister," apparently the Anne of the pedigree of 1505, was then proposed by the king in one of his love-letters to Anne Boleyn, but in the event another was chosen. (Brewer, *Letters and Papers of Henry VIII*, iv, 4488, 4408, 4477; Gasquet, *Henry VIII and the English Monasteries* (1910), 23, 307; Fisher, *Political History of England*, v, 278.)



Virginia, it is perhaps due to their more conspicuous place in the world. We prefer, in any event, to call attention to other characteristics of Cary in the peerage, especially their lively wit and general agreeability in society and the world. The fact has many witnesses scattered through the memoirs and private letters of the three reigns in which they flourished, but we will cite here only the evidence of that familiarity with books which we call education. They made a facile use of the pen: it is significant that without recording a single genius Horace Walpole was able to include six Carys of four successive generations in his *Catalogue of the Royal and Noble Authors*, and in doing so enumerated only the actual peers among them.¹

Perhaps these decorative and agreeable qualities are incompatible with the typical English solidarity which is the character of Cary of Devon; at all events they have multiplied in the modern world, from which such solidarity is fast disappearing. We can see the tendency clearly by comparing the various branches of the Cary family in a respect which has already been suggested. Certainly Cary in the peerage

¹ Four viscounts Falkland and two earls of Monmouth. In mere number they surpass all other families in this catalogue. Walpole might have added the Cavalier poets, produced respectively by the Falkland and Hunsdon families, Patrick Cary and Thomas Carey, and the wives of two others, Elizabeth Tanfield and Elizabeth Spencer.



never established any deep roots in any soil. They shifted their places of residence with their marriages, following their wives rather than bringing their wives with them, until at last, in a world of citizens, they have become acknowledged oppidans, with a pleasant taste for the fine arts but without any pretense at a *pied-à-terre*.¹

¹ Cf. *Who's Who*, sub nom Falkland, with Burke, *Landed Gentry*, sub nom Cary.



CHAPTER FIFTEEN

HUNSDON AND HIS SONS

It was the destiny of the youngest son of Thomas Cary "of Chilton Foliot" to establish his name as that of the nearest blood kindred of Queen Elizabeth. As his line¹ was the first to achieve greatness, or, perhaps we might more correctly say, to have greatness thrust upon it, and as it is now extinct, we will follow their fortunes before recording the elder line of the descendants of the Chilton Foliot household, who have persisted to the present day.

WILLIAM CARY (1497?-1528) lived out his brief life entirely at the court of, and in intimate association with, Henry VIII, and in consequence has left a photographic record of him-

¹ Though not free from minor errors, the best pedigree of the Hunsdon family is that of Colonel Vivian, extending the Visitation of Devon of 1620 on the authority of the Visitation of Bucks of 1634 and *Harl. MS.* 1546. For the later generations there is LeNeve's investigations for the Hunsdon peerage case of 1707. (*Harl. MS.* 6694.) Mr. C. J. Robinson's collection of evidences for this pedigree, in *H. & G.*, iv, is invaluable, though unfortunately marred by misprints. Some hitherto obscure points have been illuminated from the records of Somerset House and parish registers in the *W. M. Cary Notes*.



SIR HENRY CAREY, K.G.

1526-1596

FIRST BARON HUNSDON, LORD CHAMBERLAIN, ETC.





self.¹ He is revealed to be of a type of young Norman Englishman familiar in literature from Chaucer to Kipling, a tall, clean-limbed, wholesome, patrician animal, keen for sports and gambling, good at athletics, recklessly brave in danger, lacking morals rather than immoral, but, as he grew older, fit for responsibility. He was apparently introduced at court by his kinsman and contemporary the Earl of Devonshire,² for our first record of him is an entry in that young noble's household book for February 16, 1519,³ viz.:

At the King's tennis court at Richmond, where my lord played there with young Mr. Care, 2s 8d. To young Care, for my lord's losses at tennis, 8s.

By the following June he had become a part of the royal household and was granted an annuity of 50 marks with a "livery" for daily breakfast at the king's table. With Henry Norris⁴ he was

¹ In that mirror of the times, the *Letters and Papers of Henry VIII*, ed. Brewer, Gairdner, and Brodie, including not only state papers but all other contemporary evidences relating to the court. The many references to William Cary are in Dr. Brewer's volumes iii and iv, covering the years 1519-28 *passim*.

² This was Henry Courtenay (1496?-1538), whose mother was the youngest daughter of Edward IV, a breeding dangerous under the Tudors. Henry VII had kept his father in confinement in the Tower, and Henry VIII, after making much of his cousin when they were both young, ultimately executed him on a charge preferred by Thomas Cromwell that he was conspiring to succeed to the throne.

³ *L. and P.*, iii, No. 152.

⁴ Henry Norris, of the Berkshire family of that name, was William Cary's colleague in the privy chamber during the re-

soon the associate of all his royal master's amusements. Next Twelfth-night he is recorded as having won 1000 crowns for the king at play, on which he was allowed a commission. In June, 1520, he is a squire of the body in attendance upon the king at Calais for the Field of the Cloth of Gold. He distinguished himself at the jousting on that historic occasion, riding under the banner of the Earl of Devonshire, and was included in the list, made by the French heralds, of those "qui ont merit  avoir le pris."¹ In the October following Devonshire was married to a daughter of John Grey, Lord Lisle, and the king solemnized the occasion by a tourney at Greenwich, at which the lists were held by "the King, Sir William Kingston² and Mr. William Carre," for whom similar horse furniture had been provided, described as "bases and trappers of russet velvet and cloth of silver, engrayled, lozenged and cross lozenged with cloth of gold,

mainder of his life. There is an agreeable picture of him in Cavendish's *Wolsey*. He too had the sweating sickness in 1528, but recovered only to die on the block in 1536 on a charge of intimacy with Anne Boleyn when she was queen. Elizabeth believed that Henry Norris had given his life to protect her mother's reputation, and, though sparing in such honors, created his son Baron Norris of Rycot.

¹ *L. and P.*, iii, pp. 244, 313.

² Kingston was a Gloucestershire man who was knighted at Flodden and was afterwards a gentleman of the privy chamber. He became constable of the Tower and as such went to arrest Wolsey on his final journey towards London. Cavendish gives a pleasant picture of his courtesy to the disgraced cardinal on this occasion.



every lozenge embroidered with true loves of cloth of gold, with saddle covers and harness of the same.”¹ On this occasion the king gave him a black pied horse, and shortly afterwards “for the revels” a pair of black velvet buskins and two ostrich feathers. Of the joyous life of which these fragments serve as evidence there is an enduring picture relating to the last year of William Cary’s life, in which he certainly had his place: that of the maskers who broke in upon Cardinal Wolsey’s celebrated “banket” at York Place on January 3, 1528.² Here is George Cavendish’s description of the scene:

The King came suddenlie thither in a maske with a dozen other maskers, all in garments like sheepheards, made of fine cloth of gold and crimson sattin paned, and caps of the same, with vizards of good physnomie, their haire and beards either of fine gold wire silke or blacke silke. He came by water to the water-gate without anie noise, where were laid diverse chambers charged, and at his landing they were shot off, which made such a rumble in the aire, that it was like thunder. It made all the noblemen, gentlemen, ladies and gentlewomen to muse what it should meane, coming so suddenlie, they sitting quiet at a solemne banket. Then immediatelie the chamberlaine and comptroller were sent to looke

¹ *L. and P.*, iii, p. 1551.

² See Shakespeare, *Henry VIII*, act i, sc. 4, which closely follows Cavendish’s *Life of Master Thomas Wolsey*, written immediately after Wolsey’s death, and passed around in MS.: whence Holinshed took the description which was Shakespeare’s authority. Cavendish’s book has been several times reprinted but is most readily accessible in Morley’s *Universal Library*, No. 24, and should be in the hands of every “general reader” as one of the most human biographies in the English language.



what it should meane, as though they knew nothing of the matter: who looking out of the windowes into the Thames, returned and shewed him that it seemed they were noblemen and strangers that arrived at his bridge, coming as ambassadours from some forren prince. With that quoth the Cardinall, I desire you, because you can speake French, to go into the hall, there to receive them according to their estates, and to conduct them into this chamber, where they shall see us and all these noble personages being merrie at our banquet, desiring them to sit down with us and take part of our fare. At their entering into the chamber two and two together they went directlie before the Cardinall, and saluted him reventlie. To whom the Lord Chamberlaine for them said: Sir, forasmuch as they be strangers and cannot speake English, they have desired me to declare into you that they, having understanding of this banquet, where was assembled such a number of excellent dames, could do no lesse under support of your grace, but to repaire hither to view as well their incomparable beautie as to accompanie them at mumchance, and then to danse with them.

But the most important event of William Cary's life was his marriage, according to the present calendar, on February 7, 1521, to Mary Boleyn. Sir Thomas Boleyn (1477-1539) was the third generation of a thrifty family of no great antiquity, which grew in importance by progressively elevating marriages. His grandfather had been a successful London merchant and lord mayor, who married a coheiress of Sir Thomas Hoo, Baron Hoo and Hastings, and set up as a country gentleman at Blickling in Norfolk, an estate of that Norfolk worthy, Sir John



Fastolf, whom we meet in the *Paston Letters*. His father, a younger son, married a coheiress of Thomas Butler, Earl of Ormond, and he himself married a daughter of Thomas Howard, Earl of Surrey, who, after his victory at Flodden, had restored to him his father's dukedom of Norfolk. Boleyn began his career in arms against the Cornish rebels in 1497, and thenceforth was attached to the court, where he became a jousting companion of Henry VIII and was commissioned several times "to lie abroad for his country" as an ambassador. When in 1514 Mary Tudor married Louis XII, Boleyn's daughters Mary and Ann went to Paris in her suite, the elder, Mary, being then fourteen.¹

The French court was not then distinguished for its squeamishness, but during the six years that Mary Boleyn frequented it she seems to have won for herself what we call a "questionable reputation." While her sister Anne was queen of England, François I told the papal nuncio that he remembered Mary when she was in France "per una grandissima ribalda, et in-

¹ There is no conclusive evidence for the date of Mary Boleyn's birth, and the question is highly controversial. The most recent specialists discuss it with that combination of meticulous scholarship and truculence of opinion which is characteristic of contemporary English scientific enquiry and the evidence of a Teutonic inheritance. After reading the various arguments we are persuaded by Gairdner that Anne Boleyn was probably born in 1507, as first recorded by Camden, and that Mary was her elder, born say in 1500.

fame sopra tutte."¹ It was soon after her return to England² that she married William Cary. The king attended the wedding and made an "offering" of 6s 8d on the altar.³ William Cary had doubtless met his bride in France, for we may fairly assume that he was one of the young men of the privy chamber who, according to Hall, had in 1519 recently been in France and incurred the disapprobation of the Privy Council, if not of the king, by their importation of French manners.⁴ Whatever were the charms of the young lady, it is possible that, in that day of carefully planned alliances, William Cary's mother had a hand in the arrangement of the marriage, with an eye always upon that gilded bubble, her own Beaufort "inheritance," which must have been the subject of many anxious plans at Chilton Foliot. The Boleyns apparently impinged upon that in some way, and they undoubtedly were in a better position to realize their aspirations: their claim to represent through the Butlers the Ormond dignities and so the Bohun tradition, brought them somehow

¹ *Cal. State Papers*, Henry VIII, x, 450.

² Friedmann, *Anne Boleyn*, ii, 323.

³ The evidence for the date of the wedding, as of the "offering," is the following entry in Henry VIII's Household Book for January 31, 1520 [O. S.]: "Item for the King's offering upon Saturday at the marriage of M. Care and Mare Bullayn, vi s. viii d." See Madden, *Register of the Privy Purse Expenses of Mary Tudor as Princess*, 1831, Appendix, 282; and *L. and P.*, iii, p. 1539.

⁴ Hall, *Chronicle* (1807), 597. Cf. Gairdner in *E. H. R.*, viii, 53.



into contact with Margaret Spencer's "rights," for we have seen her husband Thomas Cary associated with Sir Thomas Boleyn's grandfather, the last Ormond of the elder line of the Butlers, in possession of what must have been a Beaufort estate. So Margaret Spencer may well have thought it to the interest of her son to cement an alliance with the rising power of the Boleyns. She could not, however, have dreamed of the immediate consequence. In the May following Mary Boleyn's wedding, the unfortunate Edward Stafford, third Duke of Buckingham, fell a victim of Wolsey's jealousy.¹ He was a great-grandson of Edmund Beaufort, second Duke of Somerset, and so was William Cary. When Stafford was executed and his estates escheated to the crown it might fairly be expected that the Carys should share in the spoils; but who could have anticipated the profusion of the king to his "well beloved and trusty servant," as he described William Cary in his patent of April 26, 1524? The grants included several manors, a hundred, and a borough, in Essex, Wiltshire,

¹ Who can forget the tragic quality "through pity and terror effecting the *Catharsis* of these emotions" of the last speech of this "floure and mirroure of courtesie" after his trial? Holinshed's version is better than Shakespeare's: "Then was the edge of the axe turned towards him and he led into a barge. Sir Thomas Lovell desired him to sit on the cushions and carpets ordeined for him. He said: 'Nay: for when I went to Westminster I was duke of Buckingham: now I am but Edward Bohun, the most caitife of the world.'" His description of himself is a fine use of an old word which has fallen on evil days.



and Buckinghamshire, which had been part of the Stafford inheritance.¹ It is doubtless significant that the earliest of them runs unusually enough to "William Cary, Squire of the Body, and Mary his wife." Those who are concerned with such questions may find in these records their evidence to assign to the spring of 1524 the beginning of those relations of the king with Mary Boleyn which have taken a place on an unpleasant page of national history.² Whenever the relation began, William Cary, seeking

¹ Brewer, *L. and P.*, iv, p. 196, and Nos. 2002, 3087. William Cary's *Inq. p.m.*, quoted by Robinson, *H. & G.*, iv, 129, confirms Dr. Brewer's date for the earliest patents 15 Henry VIII (1524). Friedmann (*Anne Boleyn*) remarks that it was Sir Thomas Boleyn who reaped the reward of his daughter Mary's dishonor, but he seems to have overlooked these grants.

² An astonishingly large literature has grown out of the relations of Henry VIII and Mary Boleyn. Of the fact that they were meretricious there is no longer any question: the recent enquiry has been as to when they were established. The charge was first published in 1539 by Cardinal Reginald Pole in his tract *De Unitate Ecclesiastica*, but he had already preferred it in a private letter to Henry in 1535. Although doubted by Bishop Burnet, the fact was accepted cheerfully and readily by Lingard (*Hist. of England*, vi, 110). Froude devoted an elaborate appendix in his *Henry VIII* to a vigorous denunciation of Pole and Lingard, in which the curious can find much of the minor evidence on which Pole proceeded. Now, after nearly four hundred years, comes German scholarship to give the poor lady's reputation the *coup de grâce*. Dr. Stephen Eshes, having access to the documents of the Vatican, has published (*Römische Dokumente zur Geschichte der Ehescheidung Heinrichs VIII*, 1893) Henry's own admission, of which Cardinal Pole was, of course, advised, though he could not refer to it. It seems that while Catharine of Aragon's divorce was pending, Henry applied to and received from the Pope a dispensation to marry Anne Boleyn despite the canonical objection of his admitted previous relations with her sister Mary, provided always that the divorce from Catharine should first be granted. On this A. F. Pollard (*Henry VIII*, 1905, 208, 344) is of opinion



a precarious fortune in a slippery place, evidently deemed himself in no position to have a nice stomach about it; and in any event, if there is any credit to be put in contemporary court gossip, he was probably not the only one among his associates to be honored with horns by his royal master. If we cannot respect him, let us at least try to understand his situation.

In 1525 William Cary was promoted to be a gentleman of the privy chamber¹ and thenceforth lived in a shower of profitable patronage,

that the relation with Mary was reasserted by Henry as the ground for his divorce from Anne, which he obtained just before that queen's execution.

As to the date when the relation began: Lingard made the natural suggestion that Henry "provided a husband for Mary Boleyn" after he had tired of her. The modern specialists on Tudor state papers (Friedmann, *Anne Boleyn*, 1884; J. H. Round, *Early Life of Anne Boleyn*, 1886; J. Gairdner, *Dict. Nat. Biog.*, s.v. *Anne*, and *Mary and Anne Boleyn in English Historical Review*, viii, 53-60, x, 104), while differing on most other things, now agree, on the evidence of dates, that the relation began after Mary Boleyn's marriage to William Cary.

¹ "These Servants of Honour were first establish'd by King Henry the VIIth, for the greater Splendor of his Court, by having near his Person a select Number of Gentlemen of Quality and Condition, which he limited to forty-eight, and gave them the title of *Honourable*. The chief end of their Institution was to attend on the King and Queen at Court, in their Diversions, Progresses, Etc., or other extraordinary Occasions. . . . As a farther Mark of the Royal Trust repos'd in them, these Gentlemen are allow'd to execute the Sovereign's verbal Commands, without producing any written Order, their Persons and Characters being sufficient Authorities. For example, Cardinal Woolsey being arrested of High Treason, *Temp. Hen. 8*, by a Gentleman of the Privy Chamber, immediately obey'd, saying *His Person was a sufficient Warrant*, tho' he had refused to surrender himself before to a Great Lord who had an Order in Writing." (*The Laws of Honour*, 1714, Appendix II.)



including wardships and the custody of royal manors and parks in Essex and Bucks. He was chief steward and keeper of Newhall, Writtell, Wansted, Ditton, and Beaulieu, and constable of Pleshy. What these offices were worth appears from the fact that in 1527, when the household was assessed for a share of a public loan, his participation was £333 6s 8d.¹ That he was held in trust as well as favor is shown by the fact that as early as 1524 on the occasion of another such loan he turns over to Sir Henry Wiat, the treasurer of the chamber, large sums, collected "to be employed upon the wars," at one time £40,000 and another £9,000.²

His short course was soon run. The pestilence known as the "sweating sickness," which had first been epidemic in 1485, returned to England in the spring of 1528. On the authority of the contemporary letters of the French ambassador, the Bishop of Bayonne, Lingard³ describes its effect upon the court:

Experience had taught the method of cure: and those who now perished owed their fate to their own ignorance or their imprudence. The patient who felt himself affected with sickness and headache was immediately put to bed: a profuse perspiration followed, and at the close of twenty-four hours the danger was over. But if during that period any part of

¹ *L. and P.*, iv, p. 2972.

² *Ibid.*, iv, p. 83.

³ *Hist. of England*, vi, 139.



the body was exposed to the cold air the perspiration ceased, delirium ensued and in a few hours life was extinguished. Out of forty thousand cases in the city of London, it was calculated that only one in twenty proved fatal. At court the disease made its first appearance among the female attendants of Anne Boleyn. By the King's order she was immediately conveyed to the seat of her father in Kent: but she carried the infection with her and communicated it to the family. Both Anne and Lord Rochford were in imminent danger, but under the care of Dr. Butts, the royal physician, both recovered. Henry, who saw the contagion spread among the gentlemen of his Privy Chamber, frequently changed his residence, locked himself up from all communication with his servants or strangers.

William Cary was one of the gentlemen of the privy chamber who was so a victim of this disease. He died June 22, 1528,¹ being then, we assume, about the age of thirty. He left two children to bear his name, Henry, born March 17, 1526,² who became the first Lord Hunsdon,

¹ *Inq. p.m.*, quoted by Robinson, *H. & G.*, iv, 129; *Letters and Papers, Henry VIII*, iv, p. 4408.

² The *Inq. p.m.* on the estate of William Cary, November 3, 1528, gives Henry's age on the day of William's death as two years, fifteen weeks, and five days; and the *Inq. p.m.* on his mother's death in 1543 as then seventeen years, fifteen weeks, and five days.

Henry Carey was undoubtedly named for the king, but there is no evidence that he was the king's son. Certainly the king did not recognize him as such, as he did Henry Fitzroy, the son of Elizabeth Blount born in 1519, though that omission was conceivably on Anne Boleyn's account. Nevertheless the reputation of a Tudor bar sinister surrounded Henry Carey in his youth, as appears from the confession of John Hale, one of the monks of Sion who were hanged in 1535 for the equivalent of *lèse majesté*. (*Letters and Papers of Henry VIII*, viii, p. 567. See also the note by G. E. C. in *The Complete Peerage*, iv, 279.) This reputation

and Katherine, born probably after William Cary's death,¹ who became the wife of Sir Francis Knollys and was chief lady of the bedchamber to Queen Elizabeth.

and the undoubted possibility of the illegitimacy necessarily tend to restrict one's interest in the Hunsdons, at least as Carys: one turns with a certain sense of dignity to the description of the relationship of his father to Queen Elizabeth, which Sir George Carey inscribed on Lord Hunsdon's tomb in Westminster Abbey—*consobrinus*.

¹ Neither of the inquisitions taken on the deaths of William Cary or Mary Boleyn makes any mention of Katherine. When she died in January, 1569, she was reputed to be aged thirty-nine. (See Sidney Lee in *Dict. Nat. Biog.*, reissue ed., xi, 278.) This would bring her birth nearly two years after William Cary's death, but still anterior to the time when Henry VIII's relations with Anne Boleyn are reputed to have begun. (See the French Ambassador's letter quoted by Gairdner in *Dict. Nat. Biog.*, reissue ed., i, 426.) Making allowance for a lady's privilege as to her age, we may still assume that Katherine Carey was, putatively, a posthumous child. It may be significant that she was apparently named for Queen Catherine of Aragon.

Katherine Carey, Lady Knollys, was a good woman, although she had several distinguished ladies of easy virtue among her descendants. She had attended on her aunt Anne Boleyn in the Tower, became chief lady of the bedchamber to Queen Elizabeth, and died at Hampton Court January 15, 1568, while her husband was absent on duty as one of the jailers of Mary Queen of Scots at Bolton. He recorded in a neat verse on her tomb in Westminster Abbey (Dart, *Westmonasterium*, ii, 113, pl. 13) that she had borne him eight sons and eight daughters:

"Illa tibi liberos sex et bis quinque marito
Protulit, æqualis fœmina masque fuit."

Of these children the most interesting were:

I WILLIAM (1547-1632), the eldest surviving son, named for William Cary, was by James I created a peer and by Charles I, Earl of Banbury. His youthful second wife had two sons, whose succession to the dignities of their putative father was, from 1641 to 1813, steadily and repeatedly disallowed by the House of Lords, although they were adjudged legally legitimate by the courts. In the present generation the representative of one of them, another Sir Francis Knollys, private secretary of two kings, has had two



SIR HENRY CAREY ¹ (1526-1596), first Lord Hunsdon, was, as we have seen, but little more than two years old at the time of William Cary's death, and eighteen when his mother died. He grew up, then, altogether under the influence of his mother, and in consequence was all his life a Boleyn, as his sons were also. They displayed an immense physical vigor and energy and with it a coarseness of speech and deed, and (in the case of the sons) an eye single for the main chance, which distinguishes them from any Carys of whom there is a recognizable record. They show nothing at all of that outstanding characteristic which we have noted in the Carys, a certain high sensitiveness which caused them to turn their careers at critical moments in a way the world does not call practical—an undue tenderness of soul, or lack of fibre as one may prefer to term it, to which may be traced the fate not only of the Chief Baron, of the Liegeman of the

new peerages conferred on him. For the *cause célèbre* of the Banbury peerage, see G. E. C., *Complete Peerage*, and Sidney Lee in *Dict. Nat. Biog.*, reissue ed., xi, 286.

II LETTICE, the notorious mother of Elizabeth's favorite, Robert Devereux, Earl of Essex.

III ANNE, m. Sir Thomas West, second Lord De la Warr, and by him was mother of the third Lord De la Warr, first governor of Virginia (Alexander Brown says, "If any one man can be called the founder of Virginia, I believe that he is that man"), and of Francis and John West, who also played parts on the Virginia stage at the beginning of the colony. See the notice of the family in *The Genesis of the United States*, ii, 1045.

¹ For the Hunsdon spelling of the name see *ante*, p. 10.



Red Rose, of the later Jacobites, and most conspicuously of the second Falkland, but of many others in smaller theatres of activity in America as well as in England. This quality which gives the family history a certain *motif* is utterly lacking in the Hunsdons and proves them to be what they themselves took most pride in—Boleyns.

Henry Carey's mother lived during his boyhood¹ on her family estate of Rochford² in Essex, and there no doubt he passed his early childhood, but as the monk of Sion saw him at Greenwich in 1535, when he would be nine years old, and he married in London when he was nineteen, we may assume that he grew up within the precincts of the court. This marriage in March, 1545, would doubtless have disappointed the ambition of his mother if she had lived to see it, but it was the best thing Henry Carey ever did. The bride was Ann Morgan, a girl of sixteen, who had been brought from Herefordshire to take a post at court. Her family was respectable if not glittering, but she brought to her husband something of character, of which there was obvi-

¹ She had married again about 1535 a youthful squire, William Stafford, who survived to enjoy with another wife a part of her large inheritance. She died July 19, 1543. (See her *Inq. p.m.*, 35 Henry VIII, No. 42.)

² Rochford, from which the Boleyns and Careys derived their title of viscount, had been granted by Richard III to their forebear Thomas Butler, seventh Earl of Ormond. The first Lord Hunsdon sold it to Lord Rich, whose descendants, earls of Warwick, held it until 1678. See Muilman's *Essex* (1770), v, 168.

ous need in his breeding and the environment in which he had lived.¹

Henry Carey began his career as a burgess for his own inherited borough of Buckingham. In that capacity he went to Parliament in 1547² after he had attained his majority. He sat thenceforth continuously through the reign of Edward VI and until the last Parliament of Mary, and so, being no more than a man of his time, voted in turn for such inconsistent policies as Edward VI's prayer-book and the reunion with Rome under Mary.

During those five years when Mary was queen, Henry Carey stood by his cousin Elizabeth in her time of critical peril. Fuller³ justified the rewards he received later by the statement that

¹ Ann Morgan is described in the marriage license (Foster, *London Marriages*, under date March 21, 1545) as "of the family [i.e., the household] of our Lord the King." It appears from various visitation pedigrees (Cf. G. E. C., *Complete Peerage*, iv, 279; and Robinson, *Manor Houses of Herefordshire*, 1872, 161) that she was a daughter of Thomas Morgan of Arkestone, co. Hereford, a family long extinct. We hear little of her during her husband's career except that she lived with him fifty-one years and bore him twelve children, of whom seven took a considerable place in the world. Surviving her husband, her son justly describes her on his tomb as his "*uxor charissima*." In his will he says to his son George that he doubts not "but you will comforte and relieve your mother who I make accompte must chiefly depende on you, I being able to leave her nothing in respect of that which so good a wief to me and mother to you hath deserved." There is a miniature portrait of Lady Hunsdon as an old woman in the Rijks Museum, Amsterdam, which is reproduced in Williamson, *History of Portrait Miniatures*, i, pl. 17.

² *Return of M. P.'s*, 1879.

³ *Worthies of England*, ed. Nuttall, 1840, ii, 47.

“this was rather restitution than liberality on her Majesty’s part, seeing he had spent as great an estate (left him by his father) in her service, or rather relief, during her persecution by Queen Mary.” Like Elizabeth herself, he was discreet enough not to be involved in the Courtenay-Wyatt plots against Mary (as was his brother-in-law Sir Francis Knollys¹), but he was undoubtedly in sympathy with them. He attended on Elizabeth at Woodstock and Hatfield, and, if not qualified to take part in her learned studies with Roger Ascham, did join her in experiments in divination, and perhaps necromancy, under the superintendence of the mysterious John Dee,² diversions which were interpreted

¹ Knollys was an uncompromising Protestant, and at the time of the Wyatt uprising deemed it expedient to retire to Germany, where he resided until Elizabeth’s accession. Elizabeth wrote to his wife at this time lamenting their separation (Green, *Letters of Illustrious Ladies*, iii, 278).

² John Dee (1527–1608) exercised a curious influence over the clear-headed Elizabeth as long as she lived. Educated at Cambridge, he specialized in astronomy and soon acquired a reputation for black art by his practice with a crystal globe by means of which he summoned spirits, though he stoutly maintained they were only angels of the best breeding and reputation. He long searched for the philosopher’s stone and claimed to have transmuted a piece of metal cut out of a warming-pan; he sent it to Elizabeth, together with the warming-pan having a hole into which it exactly fitted. His house at Mortlake was wrecked and looted by the mob, which execrated him as a magician. Twentieth-century Americans have heard similar sentiments expressed about a contemporary familiarly known by the same name! John Dee was undoubtedly a learned man, with an alluring method of discussion: at Rheims his lectures on Euclid were so crowded that people stood out-of-doors at the windows. To his credit he vigorously advocated the reform of the calendar in England, and failed only because the contemporary continental reform emanated from Rome.



as practices, by enchantment, against the queen's life. That they were in trouble with the government on this account appears from a letter to Courtenay, then in Italy, written from London in the spring of 1555:

In England all is quiet: such as wrote traitorous letters into Germany be apprehended, as likewise others, that did calculate the King's, the Queen's and my Lady Elizabeth's nativity, whereof one Dee, and Carye, and Butler, and one other of my Lady Elizabeth's, are accused, that they should have a familiar spirit which is the more suspected, for that Ferys, one of their accusers, had, immediately on the accusation, both of his children stricken, the one with death, the other with blindness.¹

Queen Mary died November 17, 1558, and Elizabeth was crowned on the January 15th ensuing. Two days before, she had, by letters patent, made her "trusty and well beloved cousin" (in this instance a phrase of more than mere formality) Henry Carey a peer with the title of Baron Hunsdon, and at the coronation dubbed him a Knight of the Bath.² On March 20 of the same year she invested him with the honour or

¹ Strickland, *Elizabeth* (Everyman's ed.), 101.

² Metcalfe, *Book of Knights*. The relative dignity of a Tudor peerage is apparent from the small number of them. When William Harrison wrote his *Description of England* at the end of Elizabeth's reign (Holinshed, 1807 ed., i, 277) there were only 66 peers in England; no duke, but 1 Marquis, 20 earls, 2 viscounts, and 43 barons, including Hunsdon. It was James I who began the multiplication of the English peerage, which in the twentieth century numbers 21 dukes, 26 marquesses, 126 earls, 45 viscounts, and 364 barons, not including Scots or Irish peers.



barony of Hunsdon¹ in Herts, from which his title was derived, together with Eastwick in the same county, Huntingfield² in Suffolk, and various smaller estates in Kent.

Hunsdon at once took an important place at court, where he lived constantly for the ensuing ten years, or until he was forty-two years of age. We see him on November 3, 1559, holding the lists with Lord Robert Dudley, the queen's favorite (afterwards Earl of Leicester), in a famous tournament at Greenwich in honor of the visiting princes, who were then suitors for Eliza-

¹ The ancient manor-house of Hunsdon still stands. It was there that the infant Princess Elizabeth was in residence after her mother's execution in 1536, when her governess, the Lady Margaret Bryan, wrote a moving but none the less entertaining appeal to Cromwell for more baby clothes. This should be read under cover of Miss Strickland's elucidations, if only for the warning of her scornful sneer (*Elizabeth*, Everyman's ed., 7) at the rash masculine historians who before her had ventured to comment on a feminine mystery.

It was at Hunsdon again that the Princess Mary received the news that her brother Edward VI was dead, and that Lady Jane Grey was proclaimed queen.

Hunsdon remained the property of the Careys from Elizabeth's grant in 1559 until March 6, 1653, when the first Earl of Dover sold it to Lord Willoughby of Parham.

² Huntingfield Hall, co. Suffolk, was, as its name implies, a hunting-lodge, of small income value. Lord Hunsdon entertained Elizabeth here, and a venerable tree in the park was in 1846 still known as "Queen Elizabeth's Oak." There doubtless, as at the "Queens Standing" at Waverley Honour, Gloriana had pierced seven bucks with her own arrows. The property passed through George, second Lord Hunsdon, and his daughter Lady Berkeley to the Cokes, and was finally vested by successive inheritance in their descendant the famous agriculturist Coke of Norfolk, who sold it to the Vannecks, descendants of a rich Dutch merchant of the eighteenth century, whence they derive their still existing title of Lords Huntingfield. (A. Suckling, *History of Suffolk*, ii, 411.)



beth's hand. Elizabeth continued to keep him in close affection: in 1562, when she thought she was dying, she commended him specially to her council. Meanwhile, on May 18, 1561, he was installed a Knight of the Garter,¹ and later appointed captain of the band of pensioners² or life-guard and sworn of the privy council.

¹ Froude (*Elizabeth*, i, 424) tells an amusing anecdote from the French archives: that Hunsdon was sent by Elizabeth to Lyons in May, 1564, with the Garter for the young French king Charles IX. It had been made on the common pattern as if for some burly Englishman, and would not remain on Charles's puny leg; so that Hunsdon, to his mortification, had to send back to England for a Garter which had belonged to the boy Edward VI.

² The "honorable band of Gentlemen pensioners" was instituted by Henry VII as the first permanent royal life-guard. It was always under the command of a peer who was a Knight of the Garter, and consisted of fifty (afterwards reduced to forty) gentlemen, each of whom was obliged to maintain "three double horses" or six mounted men-at-arms for personal attendance on the sovereign. (*The Laws of Honour*, 1714, 431.) When James I arrived in England, George Carey, second Lord Hunsdon, then captain, wrote him an interesting letter in respect of this band, showing that it was used as a nursery to breed servants of the crown in civil as well as military functions:

"Among many other Honours and Duties which I do owe unto the Memory of my late dear deceased Sovereign, this is not the least; that it pleased Her Majesty, upon the decease of my Lord and father (who also enjoyed the same honourable office) to grace me with the Captainship of Her Band of Gentlemen Pensioners, which Place and Dignity I have to this present enjoyed: For the further continuance whereof I humbly desire to understand Your Majesty's direction: and withall do think it a matter agreeable to my duty and allegiance plainly and truly to inform your Majesty of the Institution, Nature, Quality and Service of this Honourable Band. They are in all Fifty Gentlemen, besides myself, Lieutenant, Standard Bearer, Clerk of the Checque and Gentleman Harbinger, chosen out of the best and Ancientest families of England, and some of them sons to Earls, Barons, Knights and Esquires: men thereunto especially recommended by their worthiness and sufficiency, without any stain or taint of dishonour or disparagement in blood. Her



In the performance of these functions he maintained that character which years afterwards Naunton¹ drew of him in words which make him live to-day:

He was a fast man to his prince, and firm to his friends and servants: and though he might speak big, and therefore would be borne out, yet was he not the more dreadful, but less harmful: and far from the practice of my Lord of Leicester's instruction: for he was downright. And I have heard those that both knew him well and had interest in him, say merrily of him that his Latin and his dissimulation were both alike: and that his custom of swearing and obscenity in speaking made him seem a worse Christian than he was, and no better Knight of the Carpet than he should be. As he lived in a ruffling time, so he loved sword and buckler men, and such as our forefathers were wont to call men of their hands: of which sort he had many brave men that followed him, yet not taken for a popular or dangerous person.

He was evidently not ambitious. Fuller says "he might have been with the Queen whatsoever he would himself, but would no more than he

Majesty and other princes her predecessors have found great use of their services, as well in the guard and defence of their royal persons as also in sundry other important employments, as well civil as military, at home and abroad: insomuch as it hath served them always as a nursery to breed up Deputies of Ireland, Ambassadors into foreign parts, Counsellors of State, Captains of the guards, Governors of places, and commanders in the wars both by land and sea."

¹ Sir Robert Naunton (1563-1635) grew up in Elizabeth's court, was a follower of Essex and then of Buckingham, who, under James I, had him made secretary of state. His *Fragmenta Regalia*, or reminiscences of Elizabeth's court, from which we quote, were written about 1630.



Dudley Earl of Warwick
is nearest the Queen.
Henry Lord Beauchamp
extends the court of state
before the Queen.
William Lord Burleigh
Lord High Treasurer
with his staff.
Before him is Sir Thomas
Cromwell, afterwards a
Lord Nottingham, is the
nottingham of the name.
Favours.

The Royal Proceſſion of Queen Elizabeth
to viſit the King's Honourable
 Henry Carey Lord Hunsdon,
Governour of Berwick upon Tweed,
Captain of the Band of
 Gentlemen Penſioners,
Keeper of the hoſpital in the ſtreet of the ſtandard,
 Privy Counſeller & Captain German
 to her M^{aj}ESTY,
by the Lady MARY a ſiſter to
 QUEEN ANNE BOLEN.

** From an Original Painting.*

The Lady's Maids
in white gowns
Elizabeth Sister of
Lord Macclesfield the
Wife of a Merchant
Several Ladies follow-
ing in the Train
Yeomen of the Guard
Gentlemen Pensioners
and others &c

QUEEN ELIZABETH
ESCORTED TO HUNSDON HOUSE BY
LORD AND LADY HUNSDON IN 1586



was.”¹ He undoubtedly held the queen’s respect to the end, though he wrote and sometimes said what she did not want to hear: he adopted the phrase of his brother-in-law Sir Francis Knollys about the favorites, vowing “I never was one of Edward II’s men.” In his confidence in the stability of his own position he evidently early chose a policy of keeping clear of court factions and avoided personal quarrels: that others suffered this in a plain-speaking man in that age was undoubtedly due to the reason given by Leicester, that he was “of the tribe of Dan.”

While he wrote vigorous direct English in his despatches, there is no evidence that he had any appetite for learning, then common at court; we have, however, the testimony of his contemporary John Gerard² that he shared with Lord Burghley an interest in botany and the practice of gardening, and we know that he read at least one French book, and that a good one.³

During this first period of courtiership Hunsdon’s children had all been born. George, the heir, had matriculated at Trinity College, Cambridge, at the age of thirteen, the only one of

¹ Fuller, *Worthies of England*, sub Herts.

² John Gerard, *Herball* (1597). This was the standard English book on botany down to the middle of the eighteenth century.

³ In the British Museum there is a copy of *Froissart* (Paris, 1513) containing annotations to the text in Hunsdon’s handwriting; also on a blank page entries of the dates of the births of his children.



the family with any intellectual tastes. Katherine, the eldest daughter, had married her kinsman (on the Boleyn side), young Charles Howard, who soon after succeeded his father as Baron Howard of Effingham, and was destined to be lord admiral of England in the crisis of the Armada. The others who survived and made names for themselves were still children when in August, 1568, their father was sent from court for his long tour of duty on the Scotch border.

Hunsdon's play days of jousting and daily court pageants were now over; henceforth for twenty years his life is one of responsible diplomacy, stern police duty, and military administration of a lawless territory: he had been appointed to the onerous but honorable post of warden of the east marches towards Scotland, and governor of Berwick, a duty once performed by Hotspur.¹

When Hunsdon went to Berwick, Scotland

¹ In 1568 the English military organization on the border was Hunsdon, warden of the east marches, governor of Berwick, and captain of Norham; Sir John Forster (1520?-1602), warden of the middle marches; and Henry le Scrope, ninth Lord Scrope of Bolton (1534-1592), warden of the west marches and governor of Carlisle: all under Thomas Radcliffe, third Earl of Sussex (1526-1583), as lord lieutenant and president of the north, with headquarters at York. Hunsdon had under him as knight marshal and deputy governor of Berwick Sir William Drury (1527-1579), who led Elizabeth's armies into Scotland. Sir George Bowes (1527-1580), who played a large part in suppressing the rising in the north, was steward of Barnard Castle in the midst of the disaffected region. He was later for a time marshal of Berwick under Hunsdon. See Sharp, *Memorials of the Rebellion of 1569* (1840).



had just completed those two tragic and romantic years which remain the best known, though historically still the most controversial, years of her history. In them Rizzio and Darnley had been successively murdered, James I was born, his young queen-mother, Mary Stuart, had married Bothwell, had been imprisoned at Lochlevin, had escaped, had been defeated in arms by her lords, was deposed and fled into England, where at the age of twenty-six she was now a lovely prisoner, with a serpent tongue, in the midst of dark intrigue.

Hunsdon was at once employed in the negotiations between Elizabeth and the regent Moray, but his opportunity for conspicuous service did not come until, after the failure of the proposal to marry Mary to the Duke of Norfolk, there came in November, 1569, "the rising in the north."

The ancient nobility of England, remembering the toll their ancestors had paid to the contending dynasties in the Wars of the Roses, had for some time been full of concern at the uncertainty of the succession of the crown in the event of the death of Elizabeth without issue. Many of them, in the north practically all of them, were Catholic at heart and desired the reinstatement of the old religion. Mary Stuart was of right the next heir to the crown of England after Elizabeth: if she should marry another foreign



prince and Elizabeth should die a "virgin" queen, trouble for England in the future seemed a certainty; if, however, Mary Stuart should marry an Englishman and provide an English heir, and doubtless an English *Catholic* heir, to succeed in due course to the English throne, the future would be assured.

Such were the arguments which persuaded the English nobles generally, those loyal as well as those disloyal, to agree to the recognition of Mary as the next heir to the throne, provided she should marry the Duke of Norfolk, then the only duke in England and the obvious representative of the ancient traditions of governance, as against the policies of the *novi homines*, like Cecil, who held Elizabeth's ear. In the north Mary herself lost no opportunity to foster these opinions: although a prisoner, she held court wherever she was, at Bolton or at Tutbury, binding to her fortunes all the romantic youths who came into contact with her by sheer force of feminine charm, enchanting them, as Cecil bitterly said, "by her flexible wit and sugared eloquence," until they vowed to risk their lives and estates in deeds of knight-errantry to win her justice.¹ Elizabeth would do nothing—

¹ Froude (*Elizabeth*, iii, 67) quotes a vivid description of Mary at this time from the subsequent confession of young Christopher Norton, who, in order to be near her, had contrived to get himself appointed one of her guard at Bolton:

"One day when the Queen of Scots, in winter, had been sitting



neither consent to the Norfolk marriage, nor act on Mary's claims to be restored to her throne in Scotland.

As a consequence of the queen's inaction and of this combination of interests there developed a wide-spread plot to force Elizabeth's hand, but only in the north did it materialize in force. There the hereditary leaders of the people, Percy, Earl of Northumberland, and Neville, Earl of Westmoreland, both weak men, soon found themselves to their dismay hurried into overt rebellion, and that, too, not for Mary Queen of Scots, but frankly for religion: their rising had become a new Pilgrimage of Grace. Collecting a considerable army from their personal followers, they marched south with the intention of releasing Mary Stuart, then at Tutbury. The country rose with them and they set off with every advantage except leadership.

at the window-side knitting of a work, and after the board was covered, she rose and went to the fire-side, and making haste to have the work finished would not lay it away, but worked of it the time she was warming herself. She looked for one of her servants, which indeed were all gone to fetch up her meat, and seeing none of her own folk there, called me to hold her work, who was looking at my Lord Scrope and Sir Francis Knollys playing of chess. I went, thinking I had deserved no blame and that it should not have become me to have refused to do it, my Lady Scrope standing there and many gentlemen in the chamber that saw she spake not to me. I think Sir Francis saw not nor heard when she called of me. But when he had played his mate, he, seeing me standing by the queen holding of her work, called my Captain to him and asked him if I watched. He answered sometimes. Then he gave him commandment that I should watch no more, and said the queen would make me a fool."



Sir George Bowes at Barnard Castle was too weak to venture against them. Sussex at York was, as Hunsdon later reported, prudent not to risk the effect of a reverse before the government might make adequate preparation for emergencies. So the rebels swept past York, issuing proclamations and waiting anxiously for news of the Spanish aid they expected from Alva. Elizabeth did not seem to appreciate the risk and made only nominal preparations, contenting herself with joining Hunsdon with Sussex in command. It remained for Hunsdon to disillusion her. He was at the moment in London: making his way round the rear of the rebels by sea, he sent back word that not a moment was to be lost in removing the Queen of Scots from Tutbury, and in sending the train bands from London to meet the rebels. Elizabeth now acted with vigor. Mary was spirited off to Coventry. The Earl of Warwick was put in command of a force hastily organized from the militia of London and the southern shires. Hunsdon prepared to follow the earls with the garrison of Berwick and such loyal troops as he could collect on the border.¹

¹ These preparations are rehearsed with some exaggeration in the old ballad by Lord Northumberland's minstrel, *The Rising of the North* (Percy's *Reliques*):

"Then newes unto leee London came
In all the speede that ever might bee
And word is brought to our royall queene
Of the rysing in the North countrie.



But before these plans were more than preparation the rebel earls had shot their bolt. They reached Branham moor near Tadcaster in Yorkshire, where they halted in their first success, and in halting lost all. They were disappointed in their expectations—the Catholic nobles in the midland shires did not rise to meet them. Alva made no response to their appeals, their funds were exhausted, and to cap their plight their councils were torn by dissension of unstable opinion: the earls were surrounded by enthusiasts like old Norton, but they had neither an Achilles nor a Ulysses in their company. And so at the news of the preparations against them they turned suddenly in panic retreat, before they had struck a single blow. The inevitable result of such vacillation was that Sussex's proclamation promising pardon to all but the leaders caused their army to dissolve as quickly as it had gathered. In the end the earls were left alone with a few followers and fled into

"Her grace she turned her round about
And like a royall queene she swore,
'I will ordeyne them such a breakfast
As never was in the North before.'

"She caus'd thirty thousand men be rays'd
With horse and harneis faire to see:
She caus'd thirty thousand men be raised
To take the earls i' th' North countrie.

"Wi' them the false Erle Warwick went
Th' Erle Sussex and the Lord Hunsden
Until they to Yorke castle came
I wiss, they never stint ne blan."



Scotland. It remained to Sussex to punish those who were taken in arms. The "richer sort" were reserved for attainder and the orderly forfeiture of their estates. Sussex, anxious to prove his loyalty, stained his reputation by the practice of a ruthless cruelty. To Sir George Bowes was given the duty of making summary examples among the artisans and laborers who had followed their feudal leaders into the field. He seems to have done his work with equal thoroughness and gusto: six hundred were hanged, until there was not a village for sixty miles between Newcastle and Wetherby in which there was not a gibbet decorated with some of the inhabitants. But the danger was not yet over. Hunsdon wrote to Cecil from Berwick on January 13, 1570:

Although the upper-skin of this wound be partly healed, the wound festers and if it burst out again I fear me it will be past cure.

Elizabeth, "carrying," as Bacon said, "a hand restrained in gift," had steadfastly complained of the expense to which she was put while the rebels were in the field: now she put down the army before the police work was finished. Before the winter had passed she had reason to regret her parsimony, and Hunsdon had his crowded hour.

Leonard Dacre, a younger son of the ancient Cumberland family, barons Dacre of Gilles-



land, had been deeply implicated in the plots for the release of the Queen of Scots, who distinguished him as "Dacres with the croked bake." His disloyalty was aggravated by a personal grievance, in that on the death of his nephew all the family estates were taken over by the Duke of Norfolk, the feudal guardian, by the simple device of marrying his three sons to the three sisters of the dead ward. Leonard Dacre had had the acumen to distrust the capacity of the rebel earls, and for all that he shared their treasonable opinions, remained nominally loyal during the insurrection, biding his time. After the dispersal of the royal forces he thought he saw his opportunity to revive rebellion. Seizing the family castle of Naworth near Carlisle, he fortified it under pretense of protecting his own and "gathered together three thousand of the rank riders of the borders, and some others which were most devoted to the name of Dacre, which in that tract was a name of great reputation." The council of the north knew his real character and instructed Lord Scrope at Carlisle to arrest him. Scrope wrote to Cecil that Dacre "would be very hard to come to, lying continually at Naworth," but he tried enticement and invited Dacre to Carlisle to advise on the state of the country. The wary Dacre replied that he was confined to his bed by an "otragys agewe," but added that if Scrope



and his colleagues would take dinner at Naworth they should have his company and the best advice that his simple head could devise.

Sussex had already advised the queen that as she had been pleased to order her troops to be disbanded, he had no force at his disposition and could not at once obey her.

We invoke Froude¹ to complete the story in his best manner:

Spies reported that Naworth was full of men and was provisioned for many weeks. There were cannon on the corner turrets. The castle was protected on one side by a moat, on the other by a deep ravine that sunk precipitously from the foot of the walls. The country was utterly bare, and there was no shelter anywhere to cover an approach. The armoury at Carlisle was practically empty; there were a few old honeycombed guns there, but without carriages and unfit for service. There were no troops left between Berwick and Carlisle beyond the ordinary border guard, and Westmoreland and Buccleuch were for ever in the field, driving "great booties of cattle and sheep," and threatening to burn Newcastle. Bishop Pilkington came panting into Berwick with the news that Durham was again fermenting. The rebels had sworn "to hang the prebendaries," "whereof they were so affeared that they were ready to fly out of the country." The communication along the marches was unsafe. Buccleuch, Herries, Maxwell, Lochinvar, and many other Scots sent word to Dacres to hold his ground and they and their men would come to Naworth at an hour's notice; and so far from being able to take him, the English commanders were in daily fear of finding themselves over-

¹ *Elizabeth*, ch. xviii.

PLATE V
HUNSDON

- XI THOMAS 1460?-1548?
of Chilton Foliot
See *Plate I*
- XII WILLIAM 1479?-1528,
youngest son. Gentleman
of the Privy Chamber to
Henry VIII
- SIR JOHN 1495-1551
of Pleshy, second son,
a quo FALKLAND
See *Plate VI*
- XIII SIR HENRY 1526-1596
K.G., M.P., cr. baron
HUNSDON 1559
- XIV SIR GEORGE 1546-1603
K.G., M.P., 2d baron
HUNSDON, *o.s.p.m.*
- SIR JOHN 1553-1617
M.P., 3d baron HUNSDON
- SIR EDMUND 1558-1637
of Culham, M.P.,
served with Leicester in
the Low Countries
- SIR ROBERT 1560-1639
M.P., cr. baron CAREY OF
LEPPINGTON 1622 and earl
of MONMOUTH 1626
- XV SIR HENRY 1580?-1666
M.P., 4th baron HUNSDON
cr. viscount ROCHFORD 1621
and earl of DOVER 1627
- SIR ROBERT 1583-1638
a soldier of fortune in the
Low Countries
- SIR FERDINANDO 1590-
1638, a soldier of fortune
in the Low Countries. His
line failed with his sons
- XVI SIR JOHN 1608-1677
5th baron HUNSDON
2d viscount ROCHFORD
2d earl of DOVER,
o.s.p.m.
- SIR HORATIO 1619-*ante* 1677
Served under Gustavus
Adolphus, and in the
Parliamentary and Royal
armies successively; ended
his career in the Low
Countries
- ERNESTUS 1621-1680
protégé of Bishop Valen-
tine Carey. Present at
battle of Worcester. After
the restoration a colonel in
Charles II's army
- FERDINANDO 1625-1663
Colonel in the service of
the States General
- XVII SIR ROBERT 1640?-1692
Page to the Duke of York
(James II)
6th baron HUNSDON,
o.s.p.
- ROBERT 1650?-1702
"The Weaver." Living in
Holland when he succeeded
as 7th baron HUNSDON,
o.s.p.
- WILLIAM 1655?-1683
Captain in the service of
the States General. Died
at Maestricht of wounds
- XVIII WILLIAM FERDINAND 1684-
1765. Dean Swift's "beg-
garly Dutchman." Natural-
ized and summoned as
8th baron HUNSDON, 1707,
o.s.p.

(P. J. O. L. I.)
LIMHAM



whelmed at their posts. It was more dangerous to sit still than to move. On the 19th of February a warning reached Lord Hunsdon, at Berwick, that within two days at most, Buccleuch and Westmoreland would join Dacres with 5000 men, and they would then be past dealing with. He determined to try the chance of a sudden stroke, and, if he failed, to cut his way to Carlisle and join Scrope. With a great effort he collected 1500 men—the Berwick harquebusmen among them, on whose fidelity he could rely, and two hours after dark the little force set out from Hexham. The beacons were blazing on hill and church tower, and every hill side “was full of men, horse and foot, crying aud shouting as if they had been mad.” As they approached Naworth, scouts brought Hunsdon word that Dacres was waiting for him with twice his own strength; “if he undertook any overthrow,” he knew that the whole north would again be immediately in arms, and his own troops would be destroyed to a man. As surprise was impossible, he thought it better to avoid a battle. The road passed near the castle, but the country was open; and striking off to the left, he passed it shortly after daybreak at two miles distant. The Gelt river was in front of him, running along a deep gorge between precipitous sandstone cliffs. To attempt to cross, except at the bridge, would be extremely dangerous, and he was obliged to follow the brink of the ravine to recover the road again. Dacres had followed him at a distance, foreseeing his difficulty. There was a ridge of broken ground to be passed, from which the cliff fell sheer to the river, and where defeat would be destruction. At that spot, as his men were struggling along dragged and weary with their night’s march, the borderers came down on them; and even Hunsdon himself could not withhold his admiration at the brilliancy of their onset. “They gave the proudest charge,” he said, “that ever I saw.” Retreat being impossible, the Berwick men stood to their arms; they were trained marksmen, as the



time then was, and, at close quarters, their harquebuses gave them a terrible advantage. The borderers staggered under the fire, and, before they could recover themselves, Hunsdon fell on them with a squadron of horse, cut up some hundreds of them, and drove them back in confusion. Having so largely the advantage in numbers, they might still have thrown themselves across the bridge and held the passage of the river; but Dacres of the crooked back, so bold in conspiracies, was faint-hearted in the field. When Hunsdon charged, "he fled like a tall gentleman and never looked behind him till he was in Liddisdale." A trooper seized him by the arm and had almost secured him, but a party of Scots came to his rescue and snatched him from capture and the scaffold. Their leader gone, the borderers scattered to their homes. Two hundred men who had been left in Naworth fled like the rest, and, by the afternoon, the castle and its guns were surrendered. The victory was complete, but it was one of the many accidents to which Elizabeth was overmuch indebted. Had the battle been lost, as too easily it might have been lost, Lord Hunsdon thought that England would have been lost with it; and, like a man shuddering at the thought of a danger from which he has narrowly escaped, he tried again to force Elizabeth to look her situation in the face, to think less of money and more of the enormous interests which she was imperilling by her parsimony and vacillations.

Elizabeth herself, when the peril was over, admitted that it had been greater than she had supposed. She promised, or Cecil promised for her, that as long as the earls were in arms in Scotland a larger force should be maintained upon the borders; while she herself with her own hand thanked her cousin for his services, and repaid him, not entirely to his own satisfaction, for he never received anything more substantial, with a letter which, if a sovereign's praise could have filled a lean purse, would have made Hunsdon the richest of the peers.



"I doubt not, my Harry," she wrote,¹ "whether that the victory was given me more joyed me, or that you were by God appointed the instrument of my glory. And I assure you that for my country's sake the first might suffice, but for my heart's contentation the second more pleased me. It likes me not a little that with a good testimony of your faith there is seen a stout courage of your mind that more trusted to the goodness of your quarrel than to the weakness of your numbers. But I can say no more. 'Beatus est ille servus quem cum Dominus venerit inveniet faciendo (*sic*) sua mandata.' And that you may not think you have done nothing for your profit, though you have done much for your honour, I intend to make this journey somewhat to increase your livelihood, that you may not say to yourself, 'Perditum quod factum est ingrato.' Your loving kinswoman.

ELIZABETH."²

It is pleasant to be able to say that the cruelties which had followed on the main rebellion were not repeated. So many

¹ As a holograph postscript to a formal letter of congratulation from the secretary of state. *Domestic Calendar*, Eliz. Addenda (ed. Green), 1566-1579, p. 256. See also Fuller, *Worthies of England*, ed. Nuttall, 1840, ii, 47.

² In that one of the prefatory sonnets to the *Faerie Queene*, published in 1590, which was addressed to Lord Hunsdon, Spenser also celebrates the discomfiture of Dacre:

"Renowned Lord, that, for your worthinesse
And noble deeds, have your deserved place
High in the favour of that Emperesse,
The world's sole glory and her sexes grace:
Here eke of right have you a worthie place,
Both for your nearnes to that Faerie Queene
And for your own high merit in like cace:
Of which, apparaunt proofe was to be seene,
When that tumultuous rage and fearful deene
Of Northern rebels ye did pacify,
And their disloial powre defaced clene,
The record of enduring memory.
Live, Lord, forever in this lasting verse,
That all posteritie thy honor may rehearse."



poor fellows had been killed in the fight that, at Hunsdon's suggestion, a general pardon followed to all who would submit, and in the trials of the prisoners who were not included in the amnesty, mercy also for the future prevailed.

Dacre and Westmoreland both escaped to the Netherlands, to die in exile, pensioners of Spain. Northumberland's fate was more summary: after being held by the regent Moray at Lochleven, he was in 1572, after the murder of Moray, surrendered to Elizabeth and beheaded at York.

Hunsdon's part in this last business is in keeping with his character. He was not in sympathy with the treacherous negotiations and bribery of the Scots, and when he received the delivery of Northumberland's person at Berwick, urged the queen to spare his life: failing to secure such mercy, he declined flatly to be the executioner, but on the limits of his jurisdiction at Alnwick turned the prisoner over to his colleague Sir John Forster, who carried out the judgment of death.¹

¹ In Percy's *Reliques* there is a continuation of the ballad of *The Rising in the North*, in which Northumberland's minstrel represents him as taking refuge with Douglas at Lochleven, relying on hospitality and being betrayed by his host despite the warnings of a "witch lady" who showed him his fate "through the weme of her ring"; thus, not knowing Hunsdon's sentiments, he had a vision of Hunsdon awaiting him at Berwick:

"'And who walks yonder, my good lady,
So royallye on yonder greene?"

"'O, yonder is the Lord Hunsden;
Alas! he doe you drie and teene.'"



As early as 1572 Hunsdon was weary of his duty on the border. Like all Elizabeth's servants, he found the privilege expensive. His salary was not paid, he found the cost of maintaining his official dignity burdensome, and he was disappointed in his expectation to "pyk a sallett" from the forfeited estates of the rebels; but the queen insisted on his keeping his post, once indeed, when he was absent, threatening in a gust of passion that if he did not promptly return she would "sett" him "by the feet," and send another in his place. Hunsdon, who had something of his cousin's own temper, wrote to Burghley that "I cannott beyre it, nor obay itt yn suche sort, as she commands ytt,"¹ but in the end he acquiesced and so continued in various functions with respect to Scotch affairs. Finally, after a successful embassy to James, in which he secured promises that the young monarch would refrain from the Spanish alliance into which he had been tempted by his mother's execution, Hunsdon was made in 1589 warden-general of all the marches, with a grant of certain temporalities of the see of Durham.

Elizabeth visited him at Hunsdon House several times,² and on another occasion at Hunt-

¹ See his letter June 8, 1584, in *Appendix* to Sir Robert Carey's *Memoirs*.

² Nichols, *Progresses of Queen Elizabeth*. The queen stood as godmother for two of Lord Hunsdon's grandchildren at Hunsdon, in 1576 and 1584. The contemporary picture of a procession of



ingfield; he advocated in the council the marriage she wished to contract with the Duke of Anjou, and was one of the embassy which in state accompanied that prince when he went to Antwerp an affianced husband; in May, 1585, when his son-in-law Lord Howard of Effingham was made lord admiral, Hunsdon succeeded him in the high function of lord chamberlain of the household; in 1586 he sat at Fotheringay on the commission which tried and condemned the Queen of Scots; and in 1588 in the preparations for the defense of England against the Armada he was put in command of the reserve army, called the "Army Royal," of 36,000 militia collected in camps about London, to protect the queen's person, while Leicester, as lieutenant-general commanding in chief, was stationed at Tilbury with the field army.¹

During the eight remaining years of his life after the Armada he was much at court, discharging his function as lord chamberlain, and

the queen and her court going to Hunsdon, in which Lord and Lady Hunsdon are prominent figures, was engraved by Vertue in 1742 and was reproduced in Lord Cork's edition of Sir Robert Carey's *Memoirs*.

¹ See the entertaining if contemptuous observations upon these musters by Fortescue (*History of the British Army*, i, 135, 140, 151), who says that Shakespeare must have been a spectator at their training at Mile End and there collected his material for "Pistol, the swaggering Insign, Bardolph, the rascally corporal, Nym, the impostor who affects brevity, Parolles, the damnable both sides rogue, nay even Fluellen, a brave and honest man but a pedant. . . . Not in these poor pages but in Shakespeare's must the military student read the history of the Elizabethan soldier."



many other important occasional duties, fit for an elder statesman, which were placed on him.¹

One honor which came to him at this period Hunsdon doubtless did not appreciate at its value: he became the patron of Shakespeare. The supervision and licensing of the company of players which had been successively under the patronage of the earls of Leicester and Derby was undertaken by Lord Hunsdon on the death of Lord Derby in April, 1594, and henceforth, under him and his son George, was known as the "Lord Chamberlain's Company," until, in the next reign, it became the "King's Company." This was the troupe to which Shakespeare belonged and which produced most of his plays. So it was Lord Hunsdon who introduced Shakespeare and Burbage before the queen at Christmas, 1594, in "two several comedies or interludes" on the one certain and recorded occasion when Shakespeare had that honor.²

Hunsdon had also been associated with another, and equally racy, Elizabethan activity which does his memory high credit. He was a subscriber to the voyages of Frobisher (1576-1578) and Fenton (1582-1583), and as lord chamberlain was the official patron of Captain

¹ These commissions and dignities are collected and enumerated in detail in *Dict. Nat. Biog.* (reissue ed.), iii, 977, and in Doyle, *Official Baronage*.

² Sidney Lee, *Life of William Shakespeare*, 35, 43.



Thomas Cavendish when on July 21, 1586, he sailed on his memorable voyage around the world, the second ever undertaken by an Englishman.¹ By the queen's designation Hunsdon resided during the last years of his life at Somerset House, the palace then recently built in the Strand by the Protector Somerset, which was now the property of the crown.² There, in his seventy-first year, in July, 1596, he lay dying. Old Fuller records³ the tradition that all his life he had coveted the dignity of Earl of Wiltshire, the historic title which had been borne by the queen's and his maternal grandfather,⁴ and

¹ See Hakluyt (Everyman's ed.), viii, and particularly Cavendish's letter to Hunsdon therein.

² The magnificent pile which to-day houses the Public Record Office on this site and continues the name Somerset House, was built, from designs of Sir William Chambers, at the end of the eighteenth century.

³ *Worthies of England*, ed. Nuttall, 1840, ii, 47.

⁴ On the death of Thomas Butler, seventh Earl of Ormond, in 1515, without male issue, that ancient Irish dignity fell into abeyance. It was claimed later by Sir Thomas Boleyn as heir-general in right of his mother, one of Lord Ormond's coheirs, and by Sir Piers Butler, representative of a junior branch of the Butlers, as heir male. Butler was persuaded to forego his claim in consideration of a new peerage as Earl of Ossory. Boleyn thereupon had a summons as Earl of Ormond with limitation to his heirs-general and as Earl of Wiltshire (the English dignity of the Butlers, and previously of the Bohun Staffords, which had been extinct since 1461) with limitation to his heirs male. Later, before Boleyn's death, Piers Butler was given a new earldom of Ormond, so that there were then in existence two Ormonds, just as there were two Dacres. The first Lord Hunsdon doubtless hoped that the earldom of Wiltshire might be revived for him, but he considered that he had inherited of right his grandfather's earldom of Ormond as heir-general and was aggrieved that this claim was not recognized by Elizabeth. (See the second Lord Hunsdon's letter to Lord Burghley in 1597, *State Papers*, Domestic, Eliz.,

adds: "When he lay on his deathbed, the Queen gave him a gracious visit, causing a patent for the said earldom to be drawn, his robes to be made and both to be laid on his bed: but this lord (who could not dessemble neither well nor sick) replied: 'Madam, seeing you counted me not worthy of this honour while I was living, I count myself unworthy of it now I am dying.'"¹

celxiv, fol. 283.) Doubtless the later Dover earldom was created in consideration of this claim, but the technical point as to the Ormond earldom itself was never determined. As a result the genealogists conjecture that the right still exists and is vested in the present Baroness Berkeley (b. 1875, wife of Col. F. W. Foley) as representative of the second Hunsdon's daughter and so heir-general of Sir Thomas Boleyn. The subsequent vicissitudes of the Ormond earldom held by the descendants of Sir Piers Butler combine with this Boleyn claim to make the name Ormond a sweet morsel for peerage legalists. See G. E. C., *Complete Peerage*, vi, 143; and J. H. Round in Foster's *Collectanea Genealogica*, i (1883), p. 84.

¹ One of Elizabeth's good qualities was that she made few peers, thus avoiding the cheapening of such dignities by multiplication, which happened under her successor. She was as chary in this respect to her kin as to others. She never did for her dear friend and constant companion, Kate Knollys, even as much as she did for her brother Hunsdon. Horace Walpole, referring bitterly to the treatment of Mary Queen of Scots, says (*Royal and Noble Authors*, tit Robert Carey): "Her Majesty seems to have been as little fond of advancing her relations by the mother, as she was solicitous to keep down those who partook of her blood royal. The former could not well complain, when she was so indifferent even about vindicating her mother's fame."

Miss Strickland suggests that there was policy in Elizabeth's attitude towards her mother's kindred and tells this anecdote: "One day a person approached Queen Elizabeth with a petition under pretence of kindred. The Queen was too wise to repel the advancing suitor with any degree of haughtiness, much less did she attempt to contest the claim, being well aware that a numerous class of second-rate gentry in Norfolk could prove relationship to her in no very distant degree through the Boleyns, but she briefly and wittily replied: 'Friend, grant it may be so. Dost think I am bound to keep *all* my kindred? Why, that's the way to make *me* a beggar.'"



This has the true Plutarchian ring. Whether the story is *vero* or only *ben trovato*, there is good evidence that it was not honor which Hunsdon then craved. On the night of July 21 he made a nuncupative will which shows that what he really expected from the old queen was what, despite her promises, she was least likely to yield.¹ He had several times in his life urged that the expenses of his public duties were greater than the income. It is apparent that he did not stoop to enrich himself by indirect means, and now he was about to die leaving, like most of Elizabeth's able and devoted servants, a much disordered estate. Let us hear him speak for himself from the curious record which his son probated as his will:²

Memorandum, that upon the one and twentieth of Julye, anno D'ni 1596, or thereabouts, the Righte Honorable Henry Lorde Hunsdon, late Lorde Chamberlayne, being of perfecte mynde and memorye, after supper the same daie, did speake to the Honorable Sir George Carey, knighte, his sonne, that he woulde not leave hym that nighte, who before was determynd to watche with hym. And afterwarde, betwene twelve and one of the clocke in the nighte aforesaide,

¹ Bacon tells an anecdote apropos of Elizabeth's promises to her servants. Sir Edward Ratcliffe was in sore distress because she had not kept her word to him. The queen, seeing him one day in her garden, put her head out of her window and asked him in Italian: "What does a man think of when he thinks of nothing?" Ratcliffe replied: "Madam, he thinks of a woman's promises." The *réplique* was all the satisfaction he got.

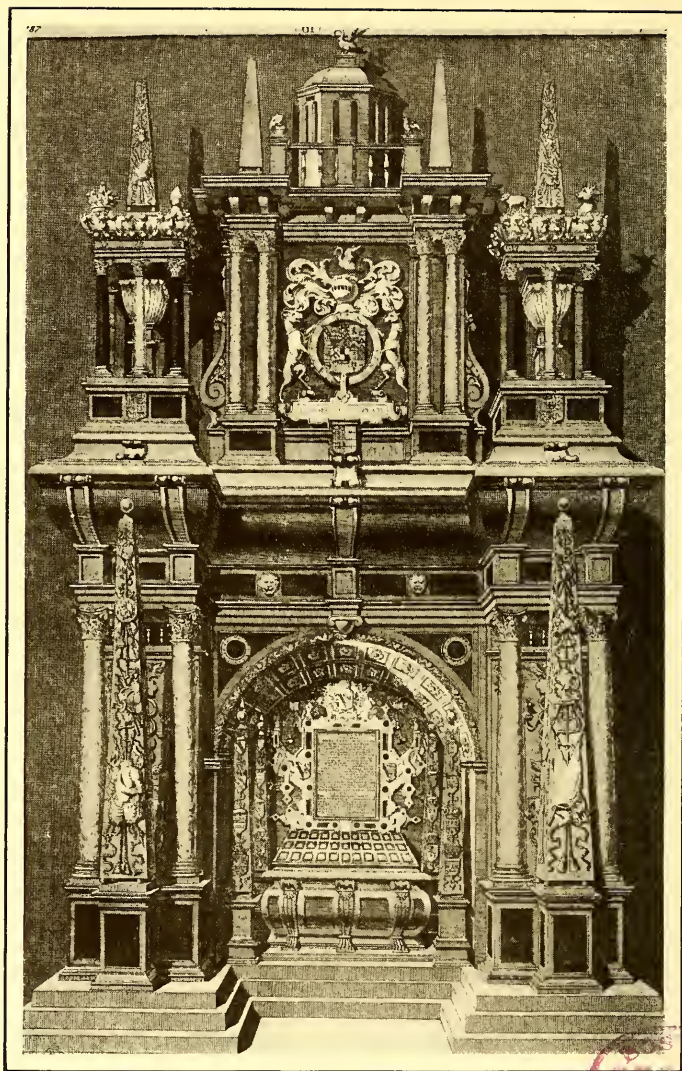
² P.C.C. *Drake*, 54. See also his *Inq. p.m.*, 38 Eliz., No. 10.

the saide Lorde Chamberlaine called hym the saide Sr George Carye by name, and vttered and spoke theise wordes, or like in effecte, followynge unto hym, vizt. "George Carey, as you are myne heire and to possesse all and whatsoever I shall leave behynde me, so do I thinke you worthie of yt, and muche more, for I have alwaies founde you a kynde and loveinge sonne. But because your mother knoweth not howe to deal in suche causes soe well as your selfe, and that I woulde not have her troubled with soe broken and harde estate as I shall leave, I would have you when yt shall please God to call me to his mercye, which I hope now cannot be farre off, to take an administrac'on of all which I will leave to your care and disposic'on, not doubtinge but you will comforte and relieve your mother, who I make accompte must cheifelie depende on you, I being able to leave her nothinge in respecte of that which so good a wiefe to me and mother to you had deserved. As also I must leave to your care such of my poore servantes as have served me longe and I have bene able to doe nothinge for. Her Maiestie hath sente me sondrye gracious promyses, that on the worde of a Prynce she would fullye releive my estate, which yf I shall not live to enjoye shee will conferre it uppon myne. And therefore doubte not but she will bestowe myne offices uppon you, which yf she doe, you maie be the better to my saide poore servantes, which I am not able to recompense, not doubtinge but you will be a comforte to my wiefe and the rest of my children, so farre as my poore estate will reache. So havynge declared to you my mynde and resoluc'on for worldlie matters, my mynde is satisfyed, which hathe longe bene troubled. And nowe I desyer noe longer to lyve, and will trouble my selfe noe further with worldlie causes. And soe I com'ende my selfe to God's mercye, and praie for me good George and the rest." Att which premisses were present and hearinge the same, Zacha. Locke, Raphe Raye, Elizabeth Burley, and others.

Two days later Lord Hunsdon died at Somerset House. He was buried in Westminster Abbey in a family vault then established in St. John Baptist Chapel, whereon his eldest son and successor later erected an ornate monument with a long and stately Latin inscription, rehearsing the various dignities of the founder of the house, which may be read by the curious to this day.¹

¹ In John Dart's *Westmonasterium*, 1743, there is a full-page engraving of the Hunsdon monument as plate No. 61, with a description of it (i, 188) as "a most magnificent monument of various marble and alabaster, gilt with Gold and adorned with sculpture." The screen bears a large achievement of arms, the bearings being quarterly of 20, within the Garter, surmounted by the swan crest and subscribed with the Hunsdon motto "*Comme je trouve*." About the inscription are displayed three escutcheons bearing the arms of Cary of Devon, with a crescent for cadency, impaled respectively with Holland, Boleyn, and Spencer of Spensercombe. Flanking the corners of the altar tomb are four obelisks displaying escutcheons and names which multiply the claims of the quarterings to 40, viz.: Cary, Bruer, Wake, Beaufort, Brian, Curey, Estoteville, Holland, Spencer, Mescheins, Gaunt, Kent, Casneto, Gerard, Beauchamp, Warwick, Orchard, Lisle, Mauduit, Gware, Harcourt, Abtot, Toni, Newburgh, Stapleton, Teies, Rochford, Butler, Bracton, Barkly, Ormond, Bullen, St. Leger, St. Oiner, Walteof, Bigod, Fastolf, Malmains, Macmurch, Marshall. Some of these names and arms cannot be identified in Burke's *General Armory*. It will be observed that much of the claim was derived from the Boleyn blood, and little from that of Cary of Devon. Taken altogether this debauch of heraldry may be fairly compared with that of William Beckford's "Edward III's Gallery" at Fonthill. (See *Gentleman's Magazine*, 1822, pp. 409 ff.)

The Westminster Abbey register shows that there were buried in this tomb, in addition to Lord Hunsdon and his widow: his son George and his widow; his grandson Thomas, son of the first Earl of Monmouth; his great-grandson Henry, second Earl of Dover, with his second wife, and daughter Abigail; his great-granddaughter Anne, daughter of the fourth Lord Hunsdon; his great-great-grandson Henry, Lord Leppington, grandson of the second Earl of Monmouth; his great-great-grandson Robert, seventh Lord Hunsdon, the "weaver"; and his great-great-granddaughter Charlotte Carey, Mrs. Brian Fairfax.



THE HUNSDON TOMB IN WESTMINSTER ABBEY

And there, as Bacon said of Henry VII, "he dwelleth more richly dead, in the monument of his tomb, than he did alive."

According to the Visitation of Buckinghamshire of 1634 Lord Hunsdon had three daughters¹ and nine sons. Of the sons we know

¹ The daughters were:

I KATHERINE, who married the Admiral Lord Howard of Effingham, afterwards Earl of Nottingham. (See *Collins Peerage*, ed. Brydges, iv, 269.) She is the subject of a romantic story about which a whole literature has grown up (see *Dict. Nat. Biog.*, reissue ed., v, 887), but which is not entertained by the serious historians. The most complete version of this tale, as told by a great-granddaughter of Sir Robert Carey, Earl of Monmouth (Nichols, *Progresses of James I*, i, 35) is as follows: Queen Elizabeth is supposed to have given to her favorite, the Earl of Essex, a ring, with the understanding that she would pardon him any offense if he sent it to her when in danger. When he was in the Tower awaiting execution he delivered the ring to a boy with instructions to carry it to Lady Scrope, then in attendance upon the queen. By mistake the boy delivered it to Lady Scrope's sister, Lady Nottingham, whose husband was an enemy of Essex, who thereupon wilfully withheld the ring from the queen. After Essex's execution, when dying, Lady Nottingham confessed to the queen what she had done, whereupon Elizabeth burst into a violent passion, struck Lady Nottingham in bed and exclaimed, "God may forgive you, but I never can," and soon after she died herself of remorse. Like relics of a saint, the ring afterwards multiplied: rings are exhibited in several English families as the identical token.

Lady Nottingham died in January, 1603, two months before Queen Elizabeth. She left several children, but her blood has persisted only on the distaff side. The most interesting among her descendants are her great-grandson John Mordaunt (1627-1675), the Cavalier conspirator, who married a granddaughter of Sir Robert Carey, thus uniting two strains of old Lord Hunsdon's blood in Charles Mordaunt, Earl of Peterborough (1658-1735), the romantic figure in the court of Queen Anne. He deemed himself enough of a Carey to annex the title of Earl of Monmouth; when it became extinct on the death of his mother's brother.

II PHILADELPHIA, who married Thomas le Scrope, the son and

little of five,¹ but the other four, George, John, Edmund, and Robert, were all knighted for ser-

successor as Baron Scrope of Bolton to Hunsdon's colleague on the border. She was mother of Emanuel le Scrope (baptized at Hunsdon August 15, 1584, the queen being his godmother), who as Lord Scrope was president of the north under James I, and was created Earl of Sunderland by Charles I.

III MARGARET, who married Sir Edward Hoby (1560-1617), a nephew of Lord Burghley. Bred at Eton and Oxford, he became a scholar and diplomatist, author of controversial books against the papists and of a notable translation of the Spanish Mendoza's *Theorique and Practise of War* (1597). He cultivated the literary men of his time and in consequence achieved immortality for his name, e.g., in Camden's *Britannia*. He and his wife entertained both Elizabeth and James I at their house, Bisham, co. Berks.

¹ *The inconspicuous sons of the first Lord Hunsdon.*

These five were:

II HENRY, who sat in Parliament for his father's borough of Buckingham from 1572 to 1583, and appears for a moment on the page of history the subject of a most extraordinary proposal. In 1570 the last Lord Conyers of the Yorkshire family of that name, of kin to the Nevilles and Dacres, had died, leaving three coheirresses; at the trial of the rebels at York that year, after the "rising in the north," the argument was advanced that one of them, Astolph Cleisby, should be pardoned because Henry Carey was a suitor for the hand of one of the Conyers heiresses and Cleisby, "being in great credit with all the sisters, might assist, if his life was spared, in bringing about the match." (Sharp, *Memoirs of the Rebellion of 1569*.) After some hesitation the queen actually acted on this suggestion, but the marriage was not arranged. (See Dugdale, *Baronage*, under Conyers.)

The rest of our information about this Henry Carey is that he died at Berwick in 1581 and that his brother George administered on his estate. (P.C.C. *Admon. Act Book*, 1581.)

IV WILLIAM, then described as of Berwick, sat in Parliament for Northumberland County 1588-89. He married Martha, daughter of Thomas Turner of Wrating, co. Suffolk, who subsequently married two more husbands, Dudley Fortescue and Sir Nicholas Hayes. He died in 1593, when his widow administered on his estate, and he was described as "of City of London, Esq." (P.C.C. *Admon. Act Book*, 1593.) His brother Robert in his *Memoirs*, describing a family lawsuit, says that William died "without children," but the context shows that he meant without sons. At all events the record evidence is that William left a

vice in the field, two of them under their father on the border, and became worthies who warrant our attention.

daughter, Katherine, born in 1576, who afterwards in 1602 married Robert Buxton, Gent. (Bishop of London's Marriage Licenses, *Harl. Soc. Pub.*, xxv (1887), 275), she being described as "attendant" on her aunt, Lady Howard, and the bridegroom as "attendant on ye Lord Howard." Her father is described in the license as " . . . Carye of Citty of London, Esq., deceased about 6 or 7 years ago."

Mr. Robinson (*H. & G.*, iv, 40, 46) gives what purports to be a calendar of the parish register of Buckingham showing the baptism of Henry and William in 1564 and 1570 respectively. Apart from the fact that these dates would bring them far down the list of sons, what we know of their subsequent careers indicates that there must be some mistake in Mr. Robinson's information, doubtless a confused note, that bane of all research, or a mere misprint.

III, VI, VIII. Of the others our chief information is from the Visitation of Buckingham of 1634. Here it is stated that the third son, Michael (styled in some pedigrees Nicholas), died in Ireland without issue. Daniel Rogers (1538?-1591) wrote in Latin verse a *tumulus* upon him. (See Historical MSS. Commission *Report*, iv, 253.) The sixth and eighth sons, both named Thomas, are recorded by the Visitation pedigrees to have died in infancy.

Bishop Valentine Carey. Within a year or two after 1568 there was born at Berwick a boy known as Valentine Carey, who is first heard from at Christ's College, Cambridge, in 1585. He had back of him influence which with his own ability secured him rapid promotion both at Cambridge and in the Church, being Master of Christ's in 1610, Dean of St. Paul's in 1614, and Bishop of Exeter in 1621. He was, says Fuller, "a complete gentleman and excellent scholar." He secured his bishopric by the aid of Henry Carey, fourth Lord Hunsdon, and at Exeter used the Cary arms in a bordure. Before he died in 1626 he adopted Ernestus Carey, "a younger son of a younger son," grandson of Sir Edmund Carey, the third son of the first Lord Hunsdon, and by his will provided for his education and left him an estate in Cambridgeshire. Although his friend Thomas Fuller definitely says (*Worthies of England*, ed. Nuttall, 1840, ii, 546) that he was "extracted from the Carys, barons of Hunsdon," Bishop Valentine Carey's name and arms have puzzled the Devon genealogists: Prince, indeed, claims him as a worthy of Devon. It is probable that he was an illegitimate son of the first Lord Hunsdon. See the discussion in *Notes and Queries* in 1864.



SIR GEORGE CAREY (1546-1603), who succeeded his father as second Lord Hunsdon and in several of his offices of state, was educated with that end in view. He matriculated at Trinity College, Cambridge, on May 13, 1560, being then in his fourteenth year. Six years later, in December, 1566, he accompanied Francis Russell, second Earl of Bedford (his father's predecessor as warden of the east marches), on his embassy to stand proxy for Elizabeth at the baptism of the Queen of Scots' newborn son. He must have made a good impression in Scotland at this time, for twice in the next few years he was sent to carry confidential communications to the Regent Moray. In October, 1568, while the English government was casting about what to do with the Queen of Scots, and the Duke of Norfolk was hesitating whether to take the risk of marrying her, Sir Francis Knollys wrote to the duke suggesting "the possibility of marrying her to some younger brother of a noble English house or some relative of the Queen on the mother's side, such, for instance, as 'young Mr. George Carey,' son of Lord Hunsdon. So matched, Elizabeth need have no fear of her, and young Carey, with his fortune to make, would not be particular."¹

Fortunately for the youth, this suggestion was not entertained.

¹ Froude, *Elizabeth*, ii, 423.

In the end he married, in 1571, Elizabeth Spencer, daughter of the rich Sir John Spencer of Althorp, and, like a prince in a fairy tale, lived happily with her "ever after": in his will, drawn twenty-eight years after marriage, he refers to her as "the sweetest companion that ever man hath founde in this lief, the Lady Elizabeth Carey, my faithfull, trewe and loveinge wief." ¹

¹ ELIZABETH CAREY was a *bel esprit*, one of the choir of three lovely sisters celebrated by their kinsman Edmund Spenser in *Colin Clout's Come Home Again*:

"No lesse praisworthie are the sisters three,
The honor of the noble familie,
Of which I, meanest, boast myself to be
And most that unto them I am so nie:
Phyllis, Charillis and sweet Amaryllis."

Phyllis was Elizabeth Lady Carey; Charillis, Anne, successively Lady Compton, Monteaule and Dorset; and Amaryllis, Alice Lady Strange, who as the dowager Countess of Derby was in her old age celebrated also in the verses (*Arcades*) of a young poet of another generation, John Milton. To each of them Spenser dedicated one of his poems; but he honored Lady Carey above the rest by inscribing to her as one of the two women so distinguished (the other being the Countess of Pembroke, "Sidney's sister, Pembroke's mother") one of his garland of dedicatory sonnets prefixed to the *Faerie Queene*.

In the letter addressed to Lady Carey accompanying *Muiopotmos*, Spenser extols her bounty to the poet during his memorable visit to London in the winter of 1590, and "that honorable name which yee have by your brave deserts purchaset to yourself and spread in the mouths of al men."

This has particular reference to Lady Carey's translations from Petrarch which are noticed by Nash in his dedication to her daughter of his *Terrors of the Night* and are conjectured (*Dict. Nat. Biog.*, iii, 913) to be those included in Spenser's collected works. Lady Carey is acknowledged, both by Nash and the song-writer John Dowland, to have had, in Nash's phrase, "a purse open to her poore beedsmen's distresses."

After the second Lord Hunsdon's death she remarried Ralph Lord Eure, and was buried March 2, 1617 (O.S.), in the Hunsdon vault in Westminster Abbey. (See also P.C.C. *Admon. Act Book*, March 20, 1617.)



He had served with his father during the "rising in the north" and later was in the punitive expedition into Scotland undertaken by the Earl of Sussex, serving under his father's deputy warden Sir William Drury. During negotiations for a truce an attempt was made to assassinate Drury; for this insult to his commanding officer George Carey challenged the Scotch Lord Fleming, governor of Dumbarton, to single combat,¹ but the Scot prudently avoided the encounter; for which and other achievements, principally zeal in the destruction of Scotch villages, Carey was knighted by the lord lieutenant.²

George Carey had further incidental experience in Scotland. After the "raid of Ruthven" in 1582, when the young King James was made a prisoner by some of Elizabeth's faction among the Scots lords, George was sent down with Sir Robert Bowes as special ambassador to deal with the emergency. He saw James at Stirling on September 12. Again, in 1589, he was sent on another embassy to Scotland. It was on one of these occasions that he received "my salte and

¹ See the correspondence in Holinshed, iv, 246. George Carey's denunciation of the Scot is salt: "Often the Flemings afternoone answer smelleth more of wine than wit . . . I will bafful your good name, sound with the trumpet your dishonour, and paint your picture with the heels upward and beare it in despite of your selfe."

² Metcalfe, *Book of Knights*. "Knights dubbed by Thomas Earl of Sussex at Barwick" May 11, 1570.



clocke of goulde sett with rubies and diamondes, which the Scottische Kinge gave me when I was Inbassador in Scotland," which he bequeathed to his daughter.¹

But practically all of George Carey's life, after his marriage, was spent in the south of England. During the next ten years he performed various court and government functions, receiving small tidbits of royal bounty. When that robustious pirate Sir Edward Horsey died in 1583, George Carey was appointed to succeed him as captain of the Isle of Wight, and thenceforth he resided in Carisbrook Castle, maintaining high hospitality. His government has been described as the time when the Isle of Wight was most flourishing.² Certainly George had it well in hand, for when in 1584 he secured for the borough of Newport the privilege of returning members to Parliament, the bailiffs and burgesses granted to him for life the right to nominate one of the members.³ He himself sat in Parliament as a knight of the shire for Southampton County from 1584 until he entered the House of Lords after his father's death.

¹ His will is dated May 10, 1599, and was proved September 23, 1603. (P.C.C. *Bolein*, 68.)

² Cf. Sir Richard Worsley, *History of the Isle of Wight* (1781), quoting the diary of Sir John Oglander (1585-1655).

³ His first nominee was his brother Edmund. It is of interest that the Lord Falkland who has given the greatest lustre to the name of Cary sat for Newport in the Long Parliament.



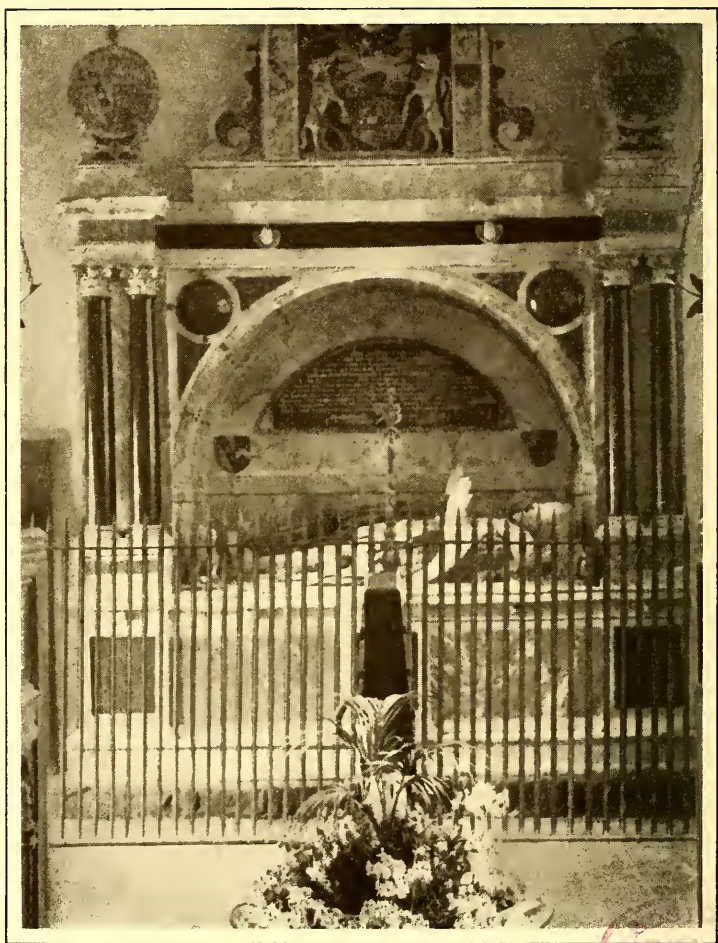
His touch with seafaring men tempted him to take part in the most exhilarating form of Elizabethan sport—authorized piracy on the high seas. In 1585 two of his ships captured a vessel afterwards the subject of diplomatic correspondence on a claim that it belonged not to Spain but to merchants of St. Jean de Luz; and in June, 1591, his squadron of three ships, the *Hopewell*, *Swallow*, and *Content*, had a fight with a Spanish fleet off Cape Corrientes, Cuba, the report of which was spirited and creditable enough to find a place in Hakluyt's collection.¹ Of his preparation for the Armada campaign, the site of *Carey's sconce* is still pointed out on the Isle of Wight.

For some years before his father's death he was his deputy as marshal of the household, and succeeded to his honors, not only as Lord Hunsdon, but as Knight of the Garter, captain of the band of pensioners, and in March, 1597, as lord chamberlain of the household. He survived Elizabeth but a few months, and died September 9, 1603, being in his fifty-eighth year.

Descendants of Sir George Carey, second Baron Hunsdon.

Sir George Carey had an only child, ELIZABETH CAREY, LADY BERKELEY. She was baptized at Hunsdon June 7, 1576, Queen Elizabeth being her godmother. (Parish register, *H. & G.*, iv, 46.) By her husband, Sir Thomas Berkeley, eldest son of the eleventh Baron Berkeley, she had

¹ Hakluyt, Everyman's ed., viii, 144.



TOMB OF SIR JOHN CAREY

1553-1617

THIRD BARON HUNSDON, IN HUNSDON CHURCH



a son and a daughter, and is represented by their descendants (1) the Baroness Berkeley and (2) the earls of Leicester, of the Coke creation. She is buried in the parish church at Cranford in Middlesex, with an elaborate M. I. setting forth her Boleyn descent. See *Collins Peerage* (ed. Brydges), iii, 615.

Sir George Carey was succeeded by his next surviving brother,

SIR JOHN CAREY (1553-1617), third Lord Hunsdon, who, by reason of an early marriage with a rich widow, was able until he was forty to play the country gentleman while his brothers were on their promotion, and sat in Parliament for the family borough of Buckingham from 1585 to 1592. He was then called to follow in his father's footsteps on the border. He tells the story succinctly on his tomb:

Ye said John Cary¹ was sent to Barwick by ye late Quee. Matie. of famous memory, in ye yeare of our Lo. 1593 to be marshal of the Towne of Barwick and Captayne of Northampton. Afterwards he was made Governor of ye saide town and garrison of Barwick, and Lo. Warden of ye East Marches of England for and anenst Scotland, and so he remained till he returned into England with ye most famous King James when he entered into ye possession of ye crowne of England.

In the distribution of court functions under the new king he did not succeed to any of the

¹ The name is so spelled on the tomb, but both he and his wife spell it with the *e* in their wills. There is no record of John Carey in Metcalfe's *Book of Knights*, but he was evidently knighted on the border: in Parliament he was simply esquire.

official dignities which had been held under Elizabeth by his father and brother, but he established himself at court and thenceforth until his death in April, 1617, his name appears in the lists of various ceremonials. He lived in London at a house on Paul's Wharf near Doctors' Commons, "called or known by the name of the house or Chamber of Dijana, otherwise called Rosamund's."¹ By his will he disposed of considerable estates, principally in Yorkshire and Derbyshire, and evidently died in great prosperity, having first built an elaborate aisle or chapel in Hunsdon parish church,² where he was buried under a marble and alabaster tomb on which he and his wife lie extended in marble effigies. This lady, who was the daughter of Lawrence Hyde of Throcking, Herts, and had first adventured into matrimony with Richard Peyton of Gray's Inn,³ is shown on the tomb

¹ So it is described in his will. (P.C.C. *Weldon*, 29.) His wife's will (P.C.C. *Skyner*, 34) describes it "near Doctors' Commons, London, commonly called Diana Rosamund." This was apparently the house in which the royalist Robert Mossom, afterwards Bishop of Derry, preached during the Commonwealth, and which, become "a house now of entertainment," but still known as Cary House, was after the Restoration the gathering-place of "good company" given to intellectual discussion. See Pepys, *Diary*, ed. Bright, viii, 87.

² The carved oak screen of this chapel displays an escutcheon with the arms of Cary quarterly of 20, the same bearings as the main display on the first Lord Hunsdon's tomb in Westminster Abbey. The chapel is described in Cussan, *Hertfordshire*, i, 53.

³ He was a younger son of the family of Peyton of Isleham, Cambridgeshire, one of whom soon after emigrated to Matthews County, Virginia.

with a great rope of pearls, of which she was evidently proud. In her will she bequeathed to the wife of her eldest son "the use of my best pearl chain, containing 1,000 great pearls worth 1,000 *l.*, for life, rem^r to the wife of the heir of the house for ever."¹ This will gives another evidence of the state of the Hunsdon household at this time by reference to "3,000 ounces of silver and gilt plate" which was to be passed on with the title.

The descendants of Sir John Carey, third Baron Hunsdon.

The third Lord Hunsdon had two daughters—Blanche, who married Sir Thomas Wodehouse of Norfolk, and Anne, who married Sir Francis Lovell of Norfolk—and two sons. The younger son, Charles, is named in his father's will 1617 and was admitted to composition by the Commonwealth in 1652.² He had married but died without male issue, and in 1667 was buried at St. Paul's, Covent Garden, London.³ The elder son, and heir, SIR HENRY CAREY (1580?–1666), was created a Knight of the Bath in 1610 on the occasion of Prince Henry's creation as Prince of Wales.⁴ He increased the fortune his father had left him by two rich marriages: first with Judith, daughter of Sir Thomas Pelham of Sussex; and second, with Mary Morris, widow of Sir William Cokayne, lord mayor of London.⁵ As Lord Hunsdon he

¹ One saw in London some years ago some "Carey jewels" handed down among descendants of the Hunsdons in the female line, which were quite astonishing for their elaborate and curious workmanship. The pearls have, however, lasted longest in their marble effigy.

² *Royalist Composition Papers*, I, 13, 156.

³ Parish register in *W. M. Cary Notes*.

⁴ Doyle, *Official Baronage*, i, 633.

⁵ For whose picturesque career see *Dict. Nat. Biog.*, iv, 683.

appears in some splendor at the court of James I,¹ and in 1621 was advanced to be Viscount Rochford, the old Boleyn dignity; under that name we get a glimpse of him among the courtiers sent to Madrid to attend on the Prince of Wales during his futile Spanish wooing. Again in 1627 he was by Charles I again advanced in the peerage, this time to be Earl of Dover. His prosperity did not survive the civil war. Adhering to the crown he was enrolled in 1642 with other peers as a volunteer in the King's Guard of Horse and rode in the charge at Edgehill against the Parliamentary regiment commanded by his own eldest son.² The same year he was created D. C. L. at Oxford.³ In 1643 he was involved in Waller's plot,⁴ and in the ensuing forfeitures lost his fortune. From 1644 to 1646 he commanded a regiment of Oxford Scholars. He survived the Commonwealth, living at Connisbrough Castle, York. On the Restoration he was sworn of the privy council of Charles II, but died in 1666 and was buried with his father in Hunsdon Church.⁵ By his first wife the Earl of Dover had four sons and four daughters. Mary married her cousin Sir Thomas Wharton, warden of the mint; the other three died unmarried.⁶ Of the sons, two, George and Henry, died infants; another, Pelham, born 1612, was knighted in Scotland in 1633, and married at Berwick, but died without issue. The eldest son,

SIR JOHN CAREY (1608–1677), was created a Knight of the Bath at the coronation of Charles I, and in 1640, during the life of his father, was summoned to Parliament as Lord

¹ See Nichols, *Progresses of James I*, ii, 343, and during the years 1617–1720 *passim*.

² Clarendon, *History*, iii, 272.

³ Foster, *Alumni Oxon*.

⁴ Gardiner, *Civil War*, i, 146.

⁵ Parish register, *H. & G.*, iv, 47.

⁶ See the wills of Anne, 1661 (*P.C.C. Laud*, 2) and Judith, 1666 (*P.C.C. Mico*, 66).



Hunsdon in his own right, and was sitting in that right at the outbreak of the civil war. Unlike his father and most of the others of the family, he declared for the Parliament, and in 1642 commanded a regiment of foot in the Parliamentary army.¹ He was one of the seven Presbyterian peers who continued to sit as the House of Lords after the triumph of the Independents in 1647 and were then ejected and impeached because they had refused assent to the trial of Charles I,² and he was one of the same group which met again April 25, 1660, to receive the Breda letters. The Restoration found him in great distress. Charles II gave him some scraps of patronage ("a walk in Sherwood Forest") and a pension of £500 a year. He married twice, the Lady Dorothy St. John, daughter of Oliver, Earl of Bolingbroke, and Abigail Cockayne, daughter of his father's second wife, but had no male issue; so that when he was buried in Westminster Abbey in 1677 the line of his grandfather, the third Lord Hunsdon, failed, and the peerages of Rochford and Dover became extinct; the barony of Hunsdon, however, reverted to a descendant of Sir Edmund Carey, the third (surviving) son of the first Lord Hunsdon. By his second marriage the Earl of Dover left two daughters: Abigail, who in 1688 was buried in Westminster Abbey unmarried, and Mary, who married in 1655 William Heveningham of Norfolk (1604-1678), one of the regicide judges. On the Restoration he was attainted and sentenced to death, but by the influence of Lord Dover his property was held in trust for his wife and his life was spared. He died a state prisoner.³

Lady Mary Heveningham had a daughter Abigail who married John Newton of Gloucester, and her daughter Carey Newton married Edward Coke of Holkham and was great-

¹ For "Viscount Rochford's Regiment" see the Parliamentary army list in Masson, *Life of Milton*, ii, 444.

² Gardiner, *Civil War*, iii, 357.

³ See her will, P.C.C. *Bond*, 138.



grandmother of the celebrated agriculturist of the eighteenth century, "Coke of Norfolk," afterwards Earl of Leicester. This Cary Coke (for so she spelled the name) inherited the Hunsdon heirlooms and traditions, which are still preserved at Holkham: she was a woman of parts and literary tastes, and from her, their biographer says, her Coke descendants (who by another descent also represented the blood of Sir George Carey, eldest son of the first Hunsdon) inherited their "legacy of brains."¹

Lord Hunsdon's third surviving son was

SIR EDMUND CAREY (1558-1637), who initiated the relations of his family with the Netherlands, where in the fourth succeeding generation they were to disappear. He married, about 1580, Mary, daughter and heir of Christopher Coker of Croft, co. Lincoln. His eldest son, Robert Carey, was christened at Hunsdon on March 21, 1583, the Earl of Leicester standing godfather.² It was this association with Leicester which took him to the Low Countries.

For several years before the assassination of William the Silent forced Queen Elizabeth to take more than a sympathetic interest in the war for freedom from Spain, then in progress in the Low Countries, English volunteers had been fighting in the ranks of the States-General. When on October 1, 1585, out of a decent

¹ See that altogether charming book, Stirling, *Coke of Norfolk and His Friends*.

² The general reader who has not carried his studies of Robert Dudley, Earl of Leicester, beyond *Kenilworth* into the Jesuit



respect for the opinion of mankind, the queen published to the world a declaration of her intention of armed intervention on behalf of an oppressed people¹ and backed up her noble sentiments by organizing an insignificant force of five thousand men under the Earl of Leicester for service against Spain in the Low Countries, the response was prompt by all young Englishmen of spirit in search of adventure or of fortune, or desirous to learn the art of war against the acknowledged masters of that time. Sir Edmund Carey went over to Holland with Leicester in that company of "the flower and chief gallants of England." He had secured

father Parson's *Leycester's Commonwealth*, is recommended to read Chapter vii of Motley's *United Netherlands*, if only to realize what rhetoric can do in picturing a character. In 1585, at fifty-four, he was "a big bulky man with a long red face, a bald head, a defiant somewhat sinister eye, a high nose, and a little torrent of foam-white curly beard . . . still magnificent in costume. Rustling in satin and feathers, with jewels in his ears and his velvet toque stuck as airily as ever upon the side of his head, he amazed the honest Hollanders." We can see him thus in the portrait at Hatfield House, reproduced in Lodge's *Portraits*.

¹ Sir Clements Markham vividly declares (*The Fighting Veres*, 69) that this state paper "is not unworthy to take a place beside the Declaration of American Independence." Perhaps it might more fairly be compared with another American declaration—that of the Fourteen Points. It is indeed a noble statement of sentiment, but Sir Clements' claim would be more convincing if in this instance Elizabeth had done what she promised to do. Her soldiers certainly did their part. Froude states the contrast, if perhaps he overdraws the picture. "Wherever," he says, "in the history of these times the Queen's hand is visible, there is always vacillation, infirmity of purpose and generally dishonesty: where her subjects are seen acting for themselves, whether as seamen, soldiers, merchants, pirates, in any and all capacities, there as uniformly is decision, fierceness, often cruelty, but invariably energy and vigor."



a commission to levy three hundred "voluntarie men" for this expedition in the counties of Suffolk and Norfolk, of which his father was lord lieutenant.¹ With them he took part in the fighting at the capture of Doesbury and the investment of Zutphen, and was knighted on the field by Leicester.² At the end of the first campaign he was left at Deventer, on the Yssel some miles below Zutphen, under the command of Sir William Stanley. When during the winter that adventurer turned traitor, and, more successful than Benedict Arnold in another war for independence, not only went over to high command in the army of the enemy, but delivered up the fortress of Deventer to the Spaniards, "Sir Edmund Carey and his men, four hundred in all, refused, to a man, to take part in the monstrous treason and were allowed to leave the city."³ During the memorable siege of Sluys in 1587, he was in the garrison at Ostend, one of the cautionary towns, where he was visited by his brother Robert Carey, who was with him later also during the successful defense of Bergen ap Zoom.⁴

¹ *Acts of the Privy Council*, 1586-87, p. 56.

² Metcalfe, *Book of Knights*, "by Robt. E. of Leicester in Holland a° 1586."

³ Motley, *The United Netherlands*, ii, 195. This chapter is a graphic description of Stanley's treason, in Motley's best manner.

⁴ *Memoirs of . . . the Earl of Monmouth*. See also *ante*, p. 222.



With this campaign Sir Edmund Carey's days of active soldiering ended, though in 1587 he had a charge as vice admiral of the Lincolnshire coast,¹ and in 1588 was a colonel in his father's army for the defense of the queen's person at the time of the Armada.²

On his return to England he had taken his seat again in the House of Commons as a burgess for Newport in the Isle of Wight. Thenceforth he sat in every successive Parliament for twenty-six years, representing, successively, Newport, Oxford City, the family borough of Buckingham, and Colne in Wiltshire.³ In 1603 he had a court appointment as knight harbinger.⁴

After the death of his first wife, Mary Coker, he married a Neville, the widow of Sir John Danvers of Dantsey, a lady considerably his senior; and on her death in 1630, though he was himself then seventy-three, he took on a third wife, a daughter of Dr. Laurence Humphrey, dean of Winchester and president of Magdalen College, Oxford, with whom he lived until his

¹ *Acts of the Privy Council*, 1587-88, p. 254.

² *Cal. State Papers*, Domestic, ccxiii, No. 86.

³ His first election from Newport was, on the nomination of his brother George, in the Parliament of 1584-5, before he went to Holland. After his return he sat in the Parliaments of 1588-9, 1592-3, 1597, 1601, 1603-11, and 1614. (*Return of Members of Parliament*, 1879.)

⁴ *Cal. State Papers*, Domestic, ccccviii, No. 160. The duties of this office were to ride a day's journey ahead of the court when it was traveling and secure lodgings.

death on September 12, 1637,¹ at Culham, co. Oxon, the estate of her first husband Thomas Bury. The Hunsdon peerage persisted into the eighteenth century with the descendants of his first marriage.

The Descendants of Sir Edmund Carey.

Sir Edmund Carey left three sons and two daughters by his first wife, Mary Coker.² As appeared in the Hunsdon peerage case in 1707,³ the youngest son Thomas, though living at the Visitation of Bucks in 1634, left no male issue. One of the daughters, Catherine, married Francis Rogers of Herts, grandson of John Rogers, the first Protestant martyr of the Marian persecution;⁴ the other, Anne, married Sir William Uvedale, of Wickham, co. Hants, whom we are to meet in relation to Patrick Cary of the Falkland family.⁵ The two elder sons, SIR ROBERT CAREY (1583-1638) and SIR FERDINANDO CAREY (1590-1638), both served in the Low Countries under Sir Horace Vere, and died before the civil war, but Sir Edmund Carey's grandsons were all Cavaliers.

Of Sir Ferdinando Carey⁶ we have an interesting glimpse in action in one of James Howell's *Familiar Letters*.⁷ Writing about the siege of Bergen ap Zoom by Spinola in 1622,

¹ His will (P.C.C. *Lee*, 17) was dated August 26, 1637, and proved February 13, 1637 (O.S.). His widow Lady Judith Cary, as she styles herself, left a will (P.C.C. *Berkeley*, 230) dated 1655 and proved 1656.

² Colonel Vivian makes the mistake, plainly demonstrated by the dates, of attributing Sir Edmund's children to his third wife.

³ *Harl. MS.* 6694.

⁴ See Chester, *Life of John Rogers*, 224.

⁵ See *post*, p. 468.

⁶ The Drayton Bassett parish register, *H. & G.*, iv, 46, records his baptism February 1, 1590, and P.C.C. *Admon. Act Book* his death in 1638.

⁷ *Madrid*, 3 February 1623, to Mr. Walsingham Gresley.

Howell says: "A gentleman came hither lately who was at the siege all the while, and he told me one strange passage: how Sir Ferdinando Carey, a huge corpulent knight, was shot thro' his body: the bullet ent'ring at the navel, and coming out at his back, kill'd his man behind him: yet he lives still and is like to recover."¹

This Sir Ferdinando, who was knighted at Whitehall in 1629, married Philippa, daughter of Sir William Throckmorton, governor of Flushing, and left several daughters to bloom in the court of Charles II, but his issue soon failed in the male line. The second son was, probably, that Captain John Carey who was killed in the fight before the close of Lichfield in 1643: he had been granted a baronetcy by Charles I, but left only a posthumous daughter, who apparently died in infancy.² The elder son, another Sir Edmund Carey, married a Gerard of Lancaster, and left an only daughter Charlotte, who married, 1675, the learned Dr. Bryan Fairfax (1633-1711), brother of the fourth Lord Fairfax, and so set the precedent for the charm of Cary women to Fairfax men which has brought about several marriages between the families in Virginia. One of the daughters, Philadelphia,³ married Sir Thomas Wentworth, and was the mother of that romantic figure Henrietta Maria Wentworth (1657-1686), Baroness Wentworth in her own right, who gave herself and her estate to Charles II's son, the Duke of Monmouth.⁴ Another daughter married Sir Alexander Fraizer, the court physician whom we meet in Pepys. His daughter Carey Fraizer⁵ was the wife of

¹ See also for him *Cal. State Papers* (Dutch), September, 1622, "Account of the services and sufferings of Capt. Killigrew and Capt. Ferdinando Carey, at Bergen ap Zoom, the preservation of which is mainly due to them."

² See *Cal. State Papers*, Domestic, Car. II, No. 48.

³ See her will 1696, *P.C.C. Bond*, 84.

⁴ See Macaulay, *History*, vol. i, and *Dict. Nat. Biog.*, xx, 1168.

⁵ See her mother's will, *P.C.C. Bond*, 136.

Charles Mordaunt, the great Earl of Peterborough, and lives in a phrase of Queen Mary II in her *Memoirs* characterizing Peterborough as "mad, and his wife, who is mader, governs him."

Sir Edmund Carey's elder son Sir Robert Carey, above mentioned, was baptized at Hunsdon March 21, 1582 (O.S.), the Earl of Leicester being his godfather, as we have recorded.¹ He matriculated at Oxford in 1599 and became a captain of horse under Sir Horace Vere in the Low Countries. During this service he married a Dutch lady, Alice Hogenhove, daughter of one of the principal secretaries to the States-General, and left a family which at the end of this generation had become altogether Dutch. Sir Robert himself died "beyond seas."² He left three sons, HORATIO (1619—*ante* 1677), ERNESTUS (1621—1680), and FERDINANDO (1625?—1663). The eldest, Horatio, began life as a soldier of fortune: he "served in the King of Sweden's wars for eight years together," and attained the rank of sergeant-major before he responded to the summons of English officers in that service to Charles I's banner for the *bellum episcopale* against the Scots in 1639.³ One wishes that he had had the *cacoethes scribendi* of his Elizabethan kinsman, the first Earl of Monmouth, and had recorded his individual adventures; but we can nevertheless reconstruct them through Defoe's *Memoirs of a Cavalier*, which conduct an Englishman very little the senior of Horatio Carey through a parallel experience—the campaigns of Gustavus Adolphus, and afterwards the civil wars in England. At the outbreak of the first civil war he enlisted in the Parliamentary army, and in 1642 was serving first as a sergeant-major⁴ and later

¹ Hunsdon, parish register, *H. & G.*, iv, 46.

² P.C.C. *Admon. Act Book*, 1638.

³ *Cal. State Papers, Domestic*, ccccxlii, No. 21.

⁴ *Historical MSS. Commission Report*, iv, 304.



as captain of a troop of horse.¹ Later he went over to the king, was knighted and made a colonel, and in that capacity was present at the last battle of Worcester on the Royalist side. His two younger brothers were then old enough to be in arms with him and in consequence they all lost whatever property they had in England.² Sir Horatio and Ferdinando afterwards made careers in the Dutch army. Ernestus Carey had been adopted as a boy and was educated at Cambridge by Bishop Valentine Carey,³ and lived for a time on the estate in Cambridgeshire which the bishop left him by will, but he sold this property, and, like Sir Henry Cary of Cockington, invested the proceeds in a lost cause.⁴ After the Restoration he secured a commission in the army and died in London, a colonel, *temp.* Charles II.

Each of these three brothers left issue: a descendant of each succeeded as Lord Hunsdon. On the death of the second Earl of Dover in 1677 SIR ROBERT CAREY (1640?–1692), son of Sir Horatio above mentioned, was summoned to Parliament as sixth Baron Hunsdon as the representative of Sir Edmund Carey, third surviving son of the first Lord Hunsdon. He began life as a page to the Duke of York, afterwards James II, and subsisted on a courtier's fare. On May 28, 1677, Henry Savile wrote from court⁵ to George Savile, then Viscount Halifax and at the moment a statesman out of a job: "For news, both houses are adjourned till the 16th of July. The Earl of Dover is departed this life and Sir Robert Carey, formerly the Duke's page, is Lord Hunsdon; but being as poor as his predecessor, the King continues ye pension of £500 a year to him."

¹ Masson, *Life of Milton*, ii, 445.

² See *Royalist Composition Papers* quoted by Robinson, *H. & G.*, iv, 144.

³ See *ante*, p. 357.

⁴ *Cal. Com. for Compounding*, ii, 1563.

⁵ Foxcroft, *Life and Letters of Halifax*.

We have a glimpse of him and of the manners of the times in a news-letter of the end of the reign of Charles II:¹

"On Sunday night the Lord Kingston and Lord Hunsdon, with Captain Billingsly and about twelve more, went from Wills' Coffee House to Peter's in Covent Garden to affront the Whigs, where they looked about the Room and cried 'D—the Whigs for Rogues, etc.' But nobody speaking to them, they took hold of one Party, a Tailor, as he was going and asked him whether he was a Whig or a Tory, and he crying 'a Whig!' they burnt his periwig, and Billingsly kicked him downstairs, of which he threatens to complain to the Council."

The sixth Lord Hunsdon adhered to his early patron, and following James II into exile, was present with him at the battle of the Boyne. He died at La Hogue in Normandy in 1692, without issue: whereupon

ROBERT CAREY (1650?–1702), the eldest surviving son of Colonel Ernestus Carey above mentioned, was summoned to Parliament as seventh Baron Hunsdon. He is called the *Weaver*, because the fortunes of his family had sunk so low that at the time of his summons he was actually employed as a journeyman weaver in Holland. He subsisted in England on a pension from William III, although he was ever a consistent and undisguised Jacobite. On the death of the Weaver without issue, the Hunsdon peerage was claimed by a Dutchman,

WILLIAM FERDINAND CAREY (1684–1765), a grandson of Ferdinando, the third brother above mentioned. After a full exploration of the Hunsdon pedigree and elimination of all other possible lines of descent,² this claim was allowed, and in 1707, after being naturalized by act of Parliament, William Ferdinand Carey took his seat in the House of Lords as eighth Baron Hunsdon. He married in January, 1718, Grace, daughter of Sir Edward Waldo of the city

¹ Newdigate, *Cavalier and Puritan*, 78.

² See *Harleian MS.* 6694.



SIR ROBERT CAREY

1560-1639

FIRST EARL OF MONMOUTH



of London and widow of Sir Nicholas Wostenholme, who is recorded to have died in 1729 without Cary issue.¹ This last Hunsdon left no other definite record except a vague contemporary suggestion that by an ineptitude he contributed to the disappointment of the last substantial hope of the restoration of the Stuarts.² Whatever the cause, he returned ultimately to Holland, but when he died at a ripe age his will was proved in London,³ showing that he left no issue. Thus after three centuries the Hunsdon-Boleyn race disappeared.

The first Lord Hunsdon's fourth surviving son was SIR ROBERT CAREY⁴ (1560-1639), the type at once of the restless Elizabethan gallant and of the persistent and successful courtier, who at the end of his career was, by Charles I, created Earl of Monmouth. He left in MS. *Memoirs of my Own Life*, which is not only a frank and entertaining personal record but an important document for Elizabethan history.⁵

¹ *Collins Peerage*, ed. 1741, 68.

² In his *Enquiry into the behavior of the Queen's last Ministry*, Dean Swift, discussing the obscure intrigues with the Pretender and the House of Hanover at the end of Queen Anne's reign, suggests that the nation was put "to the expense of some thousand lives and several millions of money" by "the stupidity or wilfulness of a beggarly Dutchman who lingered on purpose half an hour at a visit when he had promised to be somewhere else." The author's cousin and editor Deane Swift identifies this as a reference to "Carew Lord Hunsdon, born and bred in Holland." The anecdote is lacking.

³ P.C.C. *Rushworth*, 287.

⁴ While he apparently himself spelled the name without the *e* (see *ante*, p. 10), we give him the spelling used by his brothers, to maintain the Hunsdon label.

⁵ The MS. of these memoirs passed by inheritance to the author's granddaughter Martha Carey, Countess of Middleton, whose daughter Lady Elizabeth Spelman gave it to John Boyle, fifth



At the age of seventeen he was attached to an embassy to the Netherlands, and four years later was in the suite of his father in attendance upon the Duke of Anjou at Antwerp. Of this period he says: "I lived in court, had small means of my friends, and yet God so blessed me that I was ever able to keep company with the best. In all triumphs I was one, either at tilt tourney or barriers, in masque or balls. I kept men and horses far above my rank and so continued a long time."

When in 1583 he attended Walsingham to James VI's court in Scotland he says: "It pleased the King at that time to take such a liking of me as he wrote earnestly to the Queen at our return to give me leave to come back to him again, to attend on him at his court, assuring her Majesty I should not repent my attendance." Elizabeth remembered this after the execution of the Queen of Scots and sent him with a letter to James VI to explain that the death of his mother was a "miserable accident, which, far contrary to my meaning, hath be-

Earl of Cork and Orrery (1707-1762). From it Dr. Birch extracted the account of Queen Elizabeth's death for his *Negotiations*, 1749. Referring to this extract in the first edition of his *Royal and Noble Authors*, 1758, Horace Walpole urged that the complete memoir be published. This Lord Cork did the next year as *Memoirs of the Life of Robert Cary, baron of Leppington and earl of Monmouth, written by himself: with some explanatory Notes*, London, 1759. A fourth edition with some notes by Sir Walter Scott appeared in 1808, and in 1905 a reprint was included in the series known as *The King's Classics*.



fallen," adding, "I have now sent this Kinsman of mine, whom ere now it hath pleased you to favor, to instruct you truly of that which is irksome for my pen to tell you."¹ With such a commission Robin was, it would seem not unnaturally, forbidden to enter Scotland, though he says James was himself willing to receive him; but later, in 1588 and 1593, was, he says, a more successful ambassador. Meanwhile he had been engaged in knight-errantry. In 1587, when Sluys was besieged and all the young courtiers of spirit were keen to be off to the relief of Sir Francis Vane and the beleaguered garrison, the Earl of Essex was one who stole away from court against Elizabeth's prohibition. Robin was despatched to persuade him to return, and, having overtaken Essex at Sandwich and accomplished his mission, himself made off to Ostend with the Earl of Cumberland,² where, as later at Bergen ap Zoom, he served under his brother Edmund as a volunteer. The next year he was, again with his friend Cumberland, a volunteer in Drake's fleet against the Armada, and they had the honor of bringing to the queen at Tilbury on August 8

¹ See the letter in Strickland, *Elizabeth* (Everyman's ed.), 504.

² This was the celebrated privateer George Clifford (1558-1605), third earl of Cumberland, who long preyed on the commerce of Spain, wearing the queen's glove in his hat, as one can see in Lodge's *Portraits*.

the news of the final defeat and dispersal of the enemy.¹

His immense physical energy at this period is illustrated by the fact that when in the summer of 1589 Sir Francis Drake departed on the "Journey of Portingale"² and Robin was unable to go along, in his chagrin "I had no mind to stay in the Court: but having given out some money to go on foot in twelve days to Berwick,³ I performed it that summer which was worth to me two thousand pounds, which bettered me to live at Court a good while after." Again in 1591 he had a company in Essex's expeditionary force sent to the aid of Henri IV against the League, and, as he himself testifies, was so useful to Essex as to be promoted colonel and knighted on the field.

By his father's influence he sat in Parliament in 1586, 1588, 1593, and 1597 as burgess for the borough of Morpeth in Northumberland, the last time being elected also for Callington in Cornwall.

In 1593 he married a young widow who was

¹ Thomas Park says in his edition of Walpole's *Royal and Noble Authors* that Robert Carey's portrait was among those of the commanders against the Armada in the tapestry which long hung in the House of Lords. Who does not remember that tapestry by reason of Lord Chatham's dramatic invocation of it in one of the classic pages of British eloquence?

² See Colonel Anthony Wingfield's chronicle of this expedition in Hakluyt (Everyman's ed.), iii, 306.

³ The distance was 260 miles. W. Harrison in *Holinshed*, i, 415.



his cousin.¹ Robert Carey says he married her

“more for her worth than her wealth, for her estate was but five hundred pounds a year jointure; and she had between five and six hundred pounds in her purse. Neither did she marry me for any great wealth: for I had in all the world but one hundred pounds a year pension out of the Exchequer, and that was but during pleasure: and I was near a thousand pounds in debt. Besides the Queen was mightily offended with me for marrying, and most of my best friends; only my father was no ways offended at it, which gave me great content.”

He was afraid to return to court, but at length, the queen having ordered a grand tournament in honor of the anniversary of her coronation, Robin appeared in the lists in the character of the “forsaken knight” and so distinguished himself that the queen was graciously pleased to accept from him a gift (which cost him £400) and to send him on a second mission to the King of Scots, the success of which and his confidence in delivering the message secured his reinstatement in the favor of old Cynthia. He was henceforth during the remainder of Elizabeth’s reign employed on the border, holding, succes-

¹ She was Elizabeth, daughter of Sir Hugh Trevanion of Cornwall, whose mother was sister to Robert Carey’s mother. Elizabeth Trevanion had married first Sir Henry Widdrington of Northumberland (we all remember his ancestor at the battle of Chevy Chase), who was for a time deputy governor of Berwick under Lord Hunsdon, and died in February, 1593: she married Robert Carey on August 20 of the same year. It is an inexpressible relief in recording these genealogical facts to have also something human to say of this marriage.

sively, the post of deputy, under his brother-in-law Lord Scrope on the west marches, and later under his father on the east marches. On his father's death in 1596 he succeeded as warden of the east marches,¹ subsequently being transferred to the middle marches; and during this period sat in Parliament as knight of the shire for Northumberland. He gives a lively picture of life on the border, and of his wars of wits and arms with his "opposite warden," Sir Robert Ker of Cessfurd,² "a brave active young man" who was afterwards to be again his rival in intrigue for office at the court of James I.

In March, 1603, Robin was again at court and so saw the queen on her deathbed. He describes the scene:

When I came to court I found the Queen illdisposed and she kept her inner lodging: yet she hearing of my arrival sent for me. I found her in one of her withdrawing chambers, sitting low upon her cushions. She called me to her: I kissed her hand and told her it was my chiefest happiness to see her in safety and in health which I wished might long continue. She took me by the hand and wrung it hard and said:

¹ His father was one of the successors of "Sir Hugh the Heron bold," as captain of Norham Castle, a borderkeep of which all the world retains a vivid picture from the first canto of *Marmion*. In turn, Robert Carey succeeded to this function after a hard bargain with his brother John, which is detailed in the *Memoirs*.

² He was afterwards created Earl of Roxburgh and is ancestor of the ducal house of that ilk. He must be distinguished from Sir Robert Carr of Fernihurst, afterwards Viscount Rochester and Earl of Somerset, the minion of James I, who was involved in the scandal with Lady Essex of which Gardiner (*History*, 1603-1642, ii, 42 ff.) gives a graphic story.



"No, Robin, I am not well,"¹ and then discoursed with me of her indisposition, and that her heart had been sad and heavy for ten or twelve days, and in her discourse she fetched not so few as forty or fifty great sighs. I was grieved at the first to see her in this plight, for in all my lifetime before I never knew her fetch a sigh but when the Queen of Scots was beheaded.

Being now satisfied the queen was dying, Robin thought of himself.

I could not but think in what a wretched estate I should be left, most of my livelihood depending on her life. And hereupon I bethought myself with what grace and favor I was ever received of the King of Scots whensoever I was sent to him.

So he planned to be the first to announce Elizabeth's death to James. He arranged to have relays of horses waiting for him all the way from Richmond to Edinburgh; he persuaded his sister Lady Scrope to entrust to him a certain sapphire ring² which it appears James had sent to her to be returned to him instantly on the queen's death:

"Hereupon I wrote to the King of Scots (knowing him to be the right heir to the crown of England) and certified him in what state her Majesty was. I desired him not to

¹ This is the moment of Paul Delaroche's painting *The Death of Queen Elizabeth*, now in the Louvre.

² This was the blue ring which a hundred years later Robert Carey's great-granddaughter Lady Elizabeth Spelman gave to Lord Cork, with the story. She seems to have been strong on romantic ring stories. (See Banks, *Extinct Baronage*, iii, 521.)

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stir from Edinburgh: if of that sickness she should die, I would be the first man that should bring him news of it."

The privy council having forbidden any one to leave the precincts of the court at Richmond, when Robin found that he was denied the dignity of being an official messenger he resorted to strategy to get away. Elizabeth died early in the morning of March 24, 1603. Lady Scrope threw the blue ring out of a window to her brother, who thereupon mounted at nine and by hard riding reached Holyrood late on the 26th.<sup>1</sup>

The king received Robin graciously, he reports, saying: "I know you have lost a near kinswoman and a loving mistress, but take here my hand, I will be as good a master to you and will requite this service with honour and reward."

Robin returned to England with James, picking up his brother John at Berwick on the way.<sup>2</sup>

<sup>1</sup> Gardiner, who shares with all right-thinking persons the opinion of the privy council of Robin's lack of decency in this performance, but does not respond, as some of us do, to the compelling *élan* of the ride (300 miles in 60 hours!), records with satisfaction (*History*, 1603-1642, i, 86) that after all his effort Sir Robert Carey was probably anticipated by one George Marshall in getting the news to James. The official messengers from the council were Thomas Somerset and Sir Charles Percy, who left London later in the day of March 24 after James had been proclaimed king in the city.

<sup>2</sup> And so en route to London they spent a night with rich old Sir Oliver Cromwell, at Hinchinbrooke in Huntingdonshire, when "Master Cromwell presented his maiestie with many rich and acceptable gifts, as a very great and faire wrought standing cup of golde, goodly horses, deepe mouthed houndes and divers Hawkes of excellent wing." Another Oliver Cromwell, the host's nephew, then a child of four, was doubtless present having his first look at a king, but frankly more interested in the "deepe mouthed houndes."



Cecil and the council were wroth at Robin for disobedience of their orders and for his lack of "decency, good manners and respect," and promptly objected to any reward being given him. They prevailed. Robin says: "I only relied on God and the King. The one never left me, the other, shortly after his coming to London, deceived my expectation and adhered to those that sought my ruin." The king managed, nevertheless, to drop him some tidbits of patronage, and in 1605 he was made governor of the household of Prince Charles,<sup>1</sup> and, when in 1616 he became Prince of Wales, his chamberlain. At length, on February 6, 1622, he was created Baron Carey of Leppington (in Yorkshire), and as such in 1623 followed Charles into Spain in charge of the servants sent after that Prince Charming and his Steenie to contribute dignity as well as romance to the wooing of a fairy princess.<sup>2</sup>

On February 7, 1626, soon after Charles I became king, Robin was created Earl of Monmouth, and with this attainment of a courtier's

<sup>1</sup> He gives in the *Memoirs* an interesting account of the infancy of Prince Charles, his rickety legs and long delayed speech, and attributes to his wife's good sense and patient care not only that the king was prevailed upon not to cut the cord under his son's tongue, but that Charles ultimately grew up to vigorous manhood. Perhaps if the prince's tongue had been slit in infancy he might not have said in maturity the indiscreet things which cost him his head.

<sup>2</sup> Wynne, *Brief Relation of the Journey of the Prince's Servants into Spain*.

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ambition he closed his memoirs. He lived on, however, "one of the Gentlemen of his Majesty's Bedchamber,"¹ as he described himself in his will, being now securely rich as the result of protracted and comfortable pensions and sinecures.² An evidence of this prosperity which is of interest to those of his name in Virginia is that Sir Robert Carey was in 1609 a subscriber to and an incorporator of the Virginia Company under the second charter.³

At last the old courtier died, April 12, 1639, at his house Moor Park (Rickmansworth), co. Herts,⁴ and was buried, not in his father's vault

¹ He had been appointed to this function in Scotland immediately on bringing to James the news of Elizabeth's death, but to his mortification was removed, at the procurement of the privy council, on reaching London.

² The will may be found in P.C.C. *Harvey*, 97. The list of his court pickings is in Doyle, *Official Baronage*, ii, 505. As to the possibilities of a courtier's life in the way of accumulation, note Chamberlain's news-letter of March 10, 1610: "Young Mr. Wharton is shortly to be married to Sir Robert Carey's daughter that waited on my Lady Elizabeth's grace. It is said he makes her 1200 *l* a year jointure, and Sir Robert Carey gives 6,000 *l* portion." This daughter, Philadelphia, was the eldest child, born 1594. By this marriage she became grandmother of the Whig politician of the Revolution of 1688 who was the author of my uncle Toby's favorite song, *Lillibulero*—Thomas Wharton, fifth baron and first Marquis of Wharton.

³ Brown, *Genesis of the United States*, 844; Stith, *History of Virginia* (Sabin ed.), Appendix, 9. He was sufficiently active in the affairs of the company to serve on at least one committee as late as 1621. (*Court Book of the Virginia Company* [Library of Congress, 1906], ii, 565.)

⁴ This famous place in the valley of the Colne, which had belonged to the Butlers from whom Robin was descended, to Neville, Archbishop of York, to de Vere, Earl of Oxford in Henry VII's time, and to Cardinal Wolsey, later to Charles II's



Henry Carey Earl of Monmouth

Monmouth



*The Seal & Autograph from the original in the possession of
John Thane.*



SIR HENRY CAREY, K.C.B.
1596-1661
SECOND EARL OF MONMOUTH



in Westminster Abbey, as he desired, but in the parish church at Rickmansworth. His wife survived him and was later buried beside him.

The Descendants of Sir Robert Carey, Earl of Monmouth.

The first Earl of Monmouth left, beside his daughter Philadelphia, Lady Wharton, two sons:

I SIR HENRY CAREY (1596–1661), who succeeded as second Earl of Monmouth, was baptized January 27, 1595 (O. S.), at Denham, co. Bucks.¹ He was bred at Oxford (B.A. 1613) and was sent to complete his education by three years' travel on the continent, becoming, according to Anthony à Wood, "a person well skilled in the modern languages and a generous scholar." He was made a Knight of the Bath at the creation of Charles Prince of Wales in 1616. His father arranged a rich marriage for him with the daughter of Sir Lionel Cranfield, later Earl of Middlesex and lord treasurer. From 1620 to 1628 he sat in the House of Commons, but when troublous times came he retired to the country to live among his books for the remainder of his life. He signed Charles I's "declaration" in 1642 and gave his eldest son Lionel to be killed at Marston Moor in the king's army. His second son, Henry, known as Lord Carey of Leppington, married a natural daughter of his kinsman Emanuel le Scrope, Earl of Sunderland (she was afterwards Duchess of Bolton), and died of smallpox 1649,² leaving a son Henry, who was buried in Westminster Abbey

Duke of Monmouth, is now the seat of Lord Ebury of the Grosvenor family, whose title is derived from that "Ebury farm" over which London has extended, constituting the Belgrave Square and Pimlico estates of the Duke of Westminster (Loftie, *London*, 1884). The present house at Moor Park is a notable example of Georgian architecture.

¹ Parish register, *H. & G.*, iv, 46.

² See P.C.C. *Admon. Act Book*, 1649.

in 1653. The line of the second Earl of Monmouth thus failed during his life, and, as his brother Thomas also died before him, at his own death in 1661 the earldom of Monmouth became extinct. He was a fecund breeder of books of no enduring value, "seven folios, two octavos and a duodecimo," mostly translations from the Italian. Horace Walpole¹ thus characterizes him: "He seems to have distrusted his own ability and to have made the fruits of his studies his amusement rather than his method of fame. Though there are several large volumes translated by him, we have searched in vain for anything of his own composition and are as little acquainted with his character as with his genius." Canon Jessopp² justly observes: "The truth is that he had inherited none of the immense physical vigour and energy of his father and grandfather, and if he had any ambition there is no evidence to show that his abilities were at all more than respectable." He left a will dated 1659 and proved 1661³ and was buried beside his father at Rickmansworth, co. Herts. He left eight daughters, of whom five died unmarried; one married the Irish Earl of Clanbrassil, another the English Earl of Desmond and Denbigh, and another the Scotch Earl of Middleton.⁴ The daughter of the Countess of Middleton married William Spelman, of Norfolk. This Lady Elizabeth Spelman survived until 1748 and was the last representative of Queen Elizabeth's "young Robin": she inherited all the family heirlooms, portraits, etc., which were collected at her house of Wichmere in Norfolk. Many of them are described in her will.⁵ She was the source of the ring stories, and gave to the Earl of Cork the blue ring

¹ *Royal and Noble Authors*.

² *Dict. Nat. Biog.*, iii, 979.

³ *P.C.C. May*; 94.

⁴ See the will of their sister the Lady Elizabeth Carey, 1696, *P.C.C. Hale*, 3.

⁵ *P.C.C. Strahan*, 27, dated November 2, 1745.

which Robin took with him on his famous ride, and also the MS. of his *Memoirs*. It is remarkable that she did not find a way to transfer from Sir Nicholas Throckmorton to the first Lord Hundson the honor of securing for the Princess Elizabeth, from the hand of the dead Queen Mary, the earliest token of her sovereign opportunity, "the black enamelled ring which her Majesty wore day and night."¹

II THOMAS CAREY (1597-1634) was born in Northumberland and matriculated at Exeter College, Oxford, in 1611, when he was thirteen. He became a groom of the bedchamber and devoted adherent of Charles I before he was Prince of Wales, and so continued the remainder of his life; at the time of his death he was ambassador designate to Venice. He built a house at Parsons Green, Fulham, known as Villa Cary (after it had been inherited by his grandson, the Earl of Peterborough, as Peterborough House), which is celebrated by Evelyn and Mrs. Delany for its "extraordinary good rooms" and spacious gardens, abounding in "large cypress shades and pleasant wildernesses, with fountains and statues very entertaining," "a sweet place for lovers." Canon Jessopp, writing of the poet Thomas Carew (1595-1639),² says that Thomas Carey "wrote two poems which Henry Lawes set to music, and Sir Richard Fanshaw rendered into Latin," on which account he is sometimes confused with Carew. Banks³ says he was the "author of several poems, printed scattered in many books, and on that account esteemed an ingenious poet."⁴ There is a medallion portrait of him, engraved by Varin. He left a will,⁵ but the enduring memorial of him is the tablet which was erected to his memory in Westminster Abbey. There is an engraving of it in Dart,

¹ See Strickland, *Elizabeth*, 120. ² *Dict. Nat. Biog.*, iii, 972.

³ *Extinct Baronage* (1809), iii, 522.

⁴ Some of T. Carey's songs are printed in Lawes' *Ayres and Dialogues*, 1653.

⁵ P.C.C. *Seager*, 66, proved 1634.

Westmonasterium, plate 59. The inscription is of sufficiently curious interest to warrant its reproduction here:

H. S. E.

Magnae stupis vir, majoris Indolis
Thomas Cary
Qui obiit Anno Aetatis suae xxxiii
Quod est Nobilitatis
Comitis Monmouth, filius natu secundus;
Quod vero Virtutis
Illustre Documentum
Quod Carolo primo Regi, cui a Cubiculis serviebat
Erat Dilectissimus
Cujus Pio in affectu, usque Superstes,
Non ante Annum 1648,
Quo omnia eximia interire necesse erat
Penitus defunctus est.
Nobilissima Familia
Quasi natura in eo formando
Totas prosapiae Vires, prodiga consumpsiset
Herede deficiente Masculo
Expiravit, Extincta est,
Abi, Viator, Luctusq & Venerationis stuporem misce.

Thomas Cary married Margaret, daughter of Sir Thomas Smith, the master of requests, and left three daughters: Philadelphia, who married Sir Henry Lyttelton, Bart., and was a lady of the bedchamber; Frances, who died young;¹ and Elizabeth, who married John Mordaunt (1627-1675), the Cavalier conspirator, and after the Restoration Viscount Mordaunt. She is described by Clarendon² as "a young beautiful lady, of a very loyal spirit and notable vivacity of wit and humour, who concurred with her husband in all honourable dedications of himself."³

She was the mother of Charles Mordaunt (1658-1735),

¹ P.C.C. *Admon. Act Book*, 1663.

² *Rebellion*, vii, 244.

³ See also Evelyn's *Diary*, *passim*, and her husband's M.I. at Fulham describing his marriage "*cum lectissima Heroïna Elizabeth Carey, comitum Monumethae stirpe oriunda.*" (*Collins Peerage*, ed. Brydges, iii, 327.)



third Earl of Peterborough, Queen Anne's general. He had links with three of the first Lord Hunsdon's children, his own descent from two of them (Lady Nottingham and Sir Robert), and the descent of his wife Carey Fraizer from another (Sir Edmund). It was thus altogether appropriate that the Carey earldom of Monmouth, extinct since the death of Sir Henry Carey in 1661, should be revived for him in 1689. The title became again extinct in 1814, when the Mordaunt line failed.

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